

10 SEPTEMBER 1946

I N D E X  
Of  
WITNESSES

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Of  
EXHIBITS

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458		Tokyo Gazette No. 20, February 1939. (Pages 5 to 6 inclusive) Re: the "China Affairs Board"	5249
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1 Tuesday, 10 September, 1946

2 - - -

3  
4 INTERNATIONAL MILITARY TRIBUNAL  
5 FOR THE FAR EAST  
6 Court House of the Tribunal  
7 War Ministry Building  
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,  
10 at 0930.

11 - - -

12  
13 Appearances:

14 For the Tribunal, same as before with the  
15 exception of the HONORABLE R. B. PAL, Member from  
16 India, not sitting.

17 For the Prosecution Section, same as before.

18 For the Defense Section, same as before  
19 with the addition of: LIEUTENANT COMMANDER E. R.  
20 HARRIS, USNR, Counsel for the Accused HASHIMOTO,  
21 Kingoro.

22 - - -

23 (English to Japanese and Japanese  
24 to English interpretation was made by the  
25 Language Section, IMTFE.)



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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused are present  
4 except OKAWA and MATSUI who are represented by counsel.

5 Does any counsel desire to mention any matter?

6 Mr. Hauxhurst.

7 MR. HAUXHURST: May it please the Tribunal,  
8 the next document which the prosecution wishes to  
9 introduce into evidence is document 1505c, the Feb-  
10 ruary Gazette for 1939. There are two articles in  
11 this document, one entitled "The China Affairs Board",  
12 pages 5 and 6, which no reference will be made to as  
13 that has been covered yesterday. The other reference  
14 is to the speech by Prime Minister KONOYE on December  
15 22, 1938, from which we wish to read one paragraph.

16 THE PRESIDENT: Admitted on the usual terms.

17 MR. HAUXHURST: The paragraph begins on the  
18 bottom of page 3 of the document and it is as follows:

19 THE PRESIDENT: Wait until it is numbered.

20 CLERK OF THE COURT: Prosecution's document  
21 No. 1505c, being a copy of the Tokyo Gazette, February  
22 1939, will receive exhibit No. 458, and the excerpt  
23 therefrom, 1505c, will receive exhibit No. 458-A.

24 (Whereupon, prosecution's exhibits

25 Nos. 458 and 458-A were received in evidence.)

1 THE PRESIDENT: It also contains a statement  
2 by the Prime Minister.

3 MR. HAUXHURST (Reading): "As regards economic  
4 relations between the two countries, Japan does not  
5 intend to exercise economic monopoly in China, nor  
6 does she intend to demand of China to limit the  
7 interests of those third Powers, who grasp the meaning  
8 of the new East Asia and are willing to act accordingly.  
9 Japan only seeks to render effective the cooperation  
10 and collaboration between the two countries. That is  
11 to say, Japan demands that China, in accordance with  
12 the principle of equality between the two countries,  
13 should recognize the freedom of residence and trade on  
14 the part of Japanese subjects in the interior of China,  
15 with a view to promoting the economic interests of  
16 both peoples; and that, in the light of the historical  
17 and economic relations between the two nations, China  
18 should extend to Japan facilities for the development  
19 of China's natural resources, especially in the regions  
20 of North China and Inner Mongolia."

21 The prosecution desires to introduce into  
22 evidence its document No. 1504B, the Tokyo Gazette for  
23 August 1938, page 37.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: Prosecution's document

1 No. 1504B, being a copy of the Tokyo Gazette, August  
2 1938, will be given exhibit No. 459, and the excerpt  
3 therefrom, prosecution document 1504B, will be given  
4 exhibit No. 459-A.

5 (Whereupon, prosecution's exhibits  
6 Nos. 459 and 459-A were received in evidence.)

7 MR. HAUXHURST: In this connection we wish  
8 to call the Tribunal's attention to the testimony  
9 of Witness John Goette, pages 3860 to 3862 of the  
10 record and pages 3863 and 3864 of the record.

11 (Reading): "LAWS AND ORDINANCES RECENTLY  
12 PROMULGATED. LAW CONCERNING THE NORTH CHINA DEVELOP-  
13 MENT COMPANY, LIMITED. LAW CONCERNING THE CENTRAL  
14 CHINA PROMOTION COMPANY, LIMITED."

15 "(Laws Nos. 81 and 82, Promulgated on April 30,  
16 1938)".

17 "The North China Development Company has been  
18 created to accelerate economic development and to  
19 consolidate and adjust such undertakings in North  
20 China. The business of the company is to invest in and  
21 finance leading enterprises in transportation, harbour  
22 and port improvements, communications, electric power  
23 generation and transmission, mining, production and  
24 sale of salt and allied undertakings. The company is  
25 capitalized at 350,000,000 yen, of which half is

1 subscribed by the Government and the other half by  
2 private interests. The firm is empowered to issue  
3 debentures to an amount five times its paid-up capital.

4 "The business of the Central China Promotion  
5 Company is to invest in and offer financial accom-  
6 modations to enterprises in transportation, communi-  
7 cations, supply of electricity, gas and water, mining,  
8 fishing, and other lines in order to assist the  
9 economic rehabilitation and development of Central  
10 China. The company is capitalized at 100,000,000  
11 yen, to which the Government subscribes jointly and  
12 equally with private interests. This company, also,  
13 is empowered to issue debentures to an amount five  
14 times its paid-up capital.

15 "The Government recognizes the right of these  
16 two companies to declare preferential dividends on  
17 shares owned by private interests. It will subsidize  
18 the companies for a certain period to enable them to  
19 maintain payment of dividends on privately owned shares."

20 The prosecution now desires to put into  
21 evidence its document No. 1504-C from the Tokyo  
22 Gazette, December 1938. That article appears on pages  
23 1 to 6. There is also as part of that article, in  
24 December 1938, a statement by Prince KONOYE on November  
25 3rd which appears -- oh, 1504. I would like to read



1 from the radio address of Prince KONOYE as appears  
2 on page 6 of the copy of the document, two paragraphs.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document  
5 No. 1504-C, to wit, a copy of the Tokyo Gazette, will  
6 be given exhibit No. 460, and the excerpt therefrom,  
7 No. 1504-C, will be given exhibit No. 460-A.

8 (Reading): "RADIO ADDRESS OF PRINCE FU-  
9 MIMARO KONOYE, PRIME MINISTER, November 3, 1938."

10 The second paragraph, beginning:

11 "Following on the capture of Canton, Hankow,  
12 the heart of China, was also taken, so that the so-  
13 called 'Middle Plain' with its seven great cities,  
14 which virtually sustain the life of modern China, has  
15 now fallen into our hands."

16 THE MONITOR: Mr. Hauxhurst, Mr. Prosecutor,  
17 we don't have the Japanese translation prepared for  
18 us; so we will have to do it by relay as we did yester-  
19 day, sir.

20 MR. HAUXHURST: Rather than to delay the  
21 proceedings, if the Court please, I will withdraw the  
22 reading of that part of the document.

23 THE PRESIDENT: Well, how much did you intend  
24 to read?

25 MR. HAUXHURST: I intended to read that

1 second paragraph and the next paragraph on page 7.

2 THE PRESIDENT: Couldn't we have an extempo-  
3 rary translation?

4 MR. HAUXHURST: I thought -- felt certain  
5 this morning that the Japanese had been delivered.  
6 I don't know why the Language Section does not have  
7 it.

8 THE MONITOR: Sir, the Japanese translation  
9 delivered to us contains only the first portion of  
10 the English copy, and it does not contain the radio  
11 address by Prince KONOYE.

12 THE PRESIDENT: It is suggested to me that  
13 one of the defense counsel may have a copy in Japan-  
14 ese.

15 I understand they have not.

16 MR. HAUXHURST: Well, if that has not been  
17 served, it should be withdrawn, that part of it.

18 THE MONITOR: Now we have it, sir.

19 MR. HAUXHURST: It is the second paragraph,  
20 then, of the address. I would like to read it over,  
21 if I may.

22 (Reading): "Following upon the capture of  
23 Canton, Hankow, the heart of China, was also taken,  
24 so that the so-called 'Middle Plain' with its seven  
25 great cities, which virtually sustain the life of

1 modern China, has now fallen into our hands. There  
2 is an old Chinese saying to the effect that 'He  
3 who controls the Middle Plain controls the whole  
4 land.' Thus the Chiang Kai-shek government is  
5 no longer anything but a local regime. Japan has  
6 achieved these results without overstraining her  
7 fighting power, which has always been kept at a  
8 level sufficient to ward off any intervention from  
9 the outside."

10 And, then, skipping two paragraphs to the  
11 paragraph which begins:

12 (Reading): "It is an historical necessity  
13 that the three great neighbour nations, China,  
14 Manchoukuo and Japan, while fully retaining their  
15 respective individuality should stand closely united  
16 in their common duty of safeguarding East Asia. It  
17 is deeply to be deplored not only for the sake of  
18 Japan but for that of all Asia that the attainment  
19 of this goal has been thwarted through the mistaken  
20 policy of the Kuomintang Government. The policy of  
21 that government was based on the transient tide of  
22 the period that followed the Great War. It did not  
23 originate in the inherent intelligence and good sense  
24 of the Chinese people. In particular, the conduct of  
25 that government, which in its efforts to stay in power

1       cared not whether the nation was left a prey to  
2       Communism or relegated to a minor colonial status,  
3       cannot but be regarded as treason toward those many  
4       patriotic Chinese who had risked their lives in  
5       order to erect a new China. It was in those circum-  
6       stances that Japan, reluctant as she was to be involved  
7       in the tragedy of two great kindred nations fighting  
8       against each other, was compelled to take up arms  
9       against the Chiang Kai-shek regime."

10               And now, that they have the Japanese article  
11       of the document, I would like to read the last two  
12       paragraphs.

13               (Reading): "Placing absolute trust in the  
14       men at the front, the Japanese at home are silently  
15       engaged in speeding war-time production and in making  
16       preparation for protracted hostilities. Here we have  
17       a modern reproduction of the old Japanese spirit.  
18       History shows that our national fortunes waxed or waned  
19       in proportion to the degree in which the whole people  
20       were consciously aware of Japan's national polity.  
21       Knowing that a lasting peace in the Orient has always  
22       been the aim of our Sovereign, we cannot but be deeply  
23       conscious of our moral obligations as His subjects.  
24       It is high time that all of us should face squarely  
25       those responsibilities -- namely, the mission to



1 construct a new order on a moral basis -- a free union  
2 of all the nations of East Asia, in mutual reliance  
3 but in independence.

4 "What does this mean? What sacrifices does  
5 this call for? What preparations are required?  
6 These are matters of which we must obtain a clear  
7 understanding and concerning which we cannot afford  
8 to make any mistake. If there is anyone who believes  
9 that the fall of Canton and Hankow marks a turning  
10 point and that an immediate return to normal conditions  
11 is soon to arrive, he simply has not grasped the  
12 significance of the present Affair. There could be  
13 nothing more dangerous than that. Japan's undertaking  
14 to erect a new East Asia implies that she has entered  
15 upon a long period of creative work in all the activi-  
16 ties of her national life. In that sense the real  
17 war has just begun. If we are to make of ourselves  
18 a truly great nation, we must stand united as one  
19 man and pursue with firm conviction and adamant  
20 resolve the task of reconstruction and construction  
21 overseas as well as at home."

22 I would now like to read from pages 1 and 6  
23 of said document which appears on the first page of  
24 the copies thereof entitled "THE PROGRAMME FOR  
25 ECONOMIC DEVELOPMENT OF CHINA, Board of Planning,

## 1 Part I."

2 (Reading): "Now that Canton and the Wuhan  
3 district, two of the most important military and  
4 political bases of the Kuomintang Government, have  
5 been captured by Japanese forces, the immediate  
6 action necessary to consolidate the achievements of  
7 military triumph is the work of assisting in economic  
8 reconstruction and development in the occupied areas.  
9 In certain areas, the part of Central China with  
10 Shanghai as its centre and in the Shantung district  
11 where severe fighting took place and where devastation  
12 caused by retreating Chinese forces was sweeping,  
13 public utility enterprises such as transportation  
14 services, communications, power stations and water  
15 works as well as industries in general have been  
16 utterly dislocated -- in a word, the economic struc-  
17 ture as a whole has been destroyed. Even in North  
18 China and in towns and villages in rural districts  
19 in Central China, where damages caused by battles  
20 were comparatively slight, conditions of impoverishment,  
21 although in varying degrees, also prevail.

22 "On the other hand, there are enormous quantities  
23 of natural resources lying undeveloped in these areas,  
24 which might have been exploited for the promotion of  
25 industries and consequently for the happiness and

1 prosperity of the people. In trying to aid the new  
2 China, which is emerging under the rule of the new  
3 regimes established in Peking and Nanking, in the  
4 work of economic development, Japan must not confine  
5 its activities within the domain of reconstruction  
6 in its narrower sense. The undeveloped natural  
7 resources must be utilized.

8 "The main reasons for the failure of China under  
9 the Kuomintang Government to develop the resources  
10 lay in its lack of capital and technique and sta-  
11 bility in the political situation. Japan can now  
12 bring these qualifications to the new China so that  
13 resources necessary for the promotion of economic  
14 power and improvement of the general standard of  
15 living may be developed in full. And when this state  
16 of affairs is realized, the purchasing power of the  
17 Chinese people will naturally be increased, bringing  
18 about in turn the increase of Japanese exports to  
19 China. Thus, development of natural resources in  
20 China has far-reaching consequences in realizing the  
21 ideal of economic collaboration not only between Japan  
22 and China but between the three neighbouring countries  
23 including Manchoukuo, which is the basic step for  
24 achieving the national purpose of establishing a new,  
25 ideal order in East Asia.

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1 "It has also an important bearing upon the life  
2 of the Japanese nation as the stabilizing force of  
3 East Asia in that it can supply Japan with materials  
4 such as iron, coal, salt and cotton, for the strenthen-  
5 ing its national defence and augmenting its productive  
6 power. The necessity of reconstructing and readjust-  
7 ing transportation, harbours, communications and  
8 electrical enterprises can be understood in this con-  
9 nection. Sufficient supply of those necessary materials  
10 from a country within the Yen bloc will, to a consider-  
11 able extent, decrease Japan's overseas payments, while  
12 the coordinated adjustment of industries within the  
13 three countries of Japan, Manchoukuo and China, elim-  
14 inating unnecessary competition and friction between  
15 them, will work greatly toward the adjustment of supply  
16 and demand of materials and the balancing of inter-  
17 national payments.

18 "These reconstruction activities, again, should  
19 not be considered only as post bellum measures. They  
20 are as vital and urgent as military operations and  
21 political activities; they are measures which must be  
22 carried out even while the hostilities are going on.  
23 For success in these measures will doubtless prove, on  
24 the one hand, to consolidate the new regimes and, on  
25 the other, to crush the Kuomintang Government.



1           "Establishment of Special Companies.

2           "As a concrete step for carrying out measures  
3 aiding reconstruction and development in China two  
4 special companies, the NorthChina Development Company,  
5 Limited and the Central China Promotion Company, Limited,  
6 have now been established. They are holding companies  
7 for investing in and financing subsidiary companies  
8 directly engaging in reconstruction and development  
9 undertakings, as provided for in the Law concerning  
10 the NorthChina Development Co., Ltd., and the Law con-  
11 cerning the Central China Promotion Co., Ltd., promul-  
12 gated on April 30, 1938.

13           "The purposes for which the two companies have  
14 been established are not the same. The company for  
15 North China is designed, as provided for in Article I  
16 of the special law concerned, to function in acceler-  
17 ating economic development in North China and in co-  
18 ordination and adjustment of related undertakings;  
19 while the other company is designed according to  
20 Article I of the Law, to function in promoting economic  
21 reconstruction and development in Central China.

22           "Thus, in North China, where destructions  
23 caused by the hostilities have not been so heavy as  
24 in Central China and where an abundance of natural  
25 resources, such as iron, coal, salt, cotton, and wool

1 is still undeveloped, Japanese aid is to be mainly for  
2 economic development. In Central China, forming the  
3 centre for Western investments and Chinese industries  
4 and the heart of the economic structure of China,  
5 where such development has already been made to a con-  
6 siderable extent, and where devastation has been as  
7 sweeping as that in the Tokyo-Yokohama districts after  
8 the great earthquake of 1923, the immediate necessity  
9 is reconstruction of industries and public utility  
10 enterprises, without which peace and order cannot be  
11 established, not to speak of starting construction and  
12 development activities. This is especially true of  
13 the need in Shanghai districts. Accordingly, Japanese  
14 aid in that part of China is to be for the rehabilita-  
15 tion and reconstruction of industries and public util-  
16 ity enterprises as well as for the further development  
17 of natural resources.

18 "These differences are also reflected in the  
19 estimates for funds needed for their respective under-  
20 takings of the two companies. The North China Company  
21 is capitalized at 350,000,000 yen in view of the vast-  
22 ness of its development programme, while the Central  
23 China Company is capitalized at no more than 100,000,000  
24 yen in view of its main objective which is the work of  
25 rehabilitation and reconstruction. Both concerns are

1 also authorized to issue debentures up to an amount .  
2 five times their paid-up capital. These funds together  
3 with the capital to be invested in subsidiary companies  
4 by the Chinese both in money and goods and that to be  
5 invested in them by private Japanese, amount to several  
6 billion yen.

7 "Subsidiary Companies.

8 "As has been previously stated, the two companies  
9 being holding companies, do not in principle operate  
10 directly any business enterprises. Their business  
11 will be to organize many subsidiary companies, to in-  
12 vest in and finance them and to coordinate and adjust  
13 their operations. In the case of the concern for Central  
14 China, however, it can, under some special circumstances,  
15 operate business enterprises directly."

16 The next paragraphs, to the bottom paragraph  
17 beginning on that page has already been outlined in the  
18 other exhibits showing the purpose of the corporation.  
19 I will omit reading that. At the bottom of page 3:

20 "These subsidiary companies, since they are  
21 the concerns operating directly in China, are expected  
22 to be established as corporations of Chinese registry  
23 under Sino-Japanese joint management. The question  
24 as to whether the principle of one company for one  
25 class of undertakings will be applied here will depend

1 upon the classes of undertakings. As a matter of fact,  
2 decision has not been made on this matter.

3 "Coordination and adjustment of the operation  
4 of subsidiary companies, as provided in the Law con-  
5 cerning the North China Company, is designed to elim-  
6 inate the possible occurrence of circumstances which may  
7 hinder synthesized growth of various enterprises relat-  
8 ing to development of natural resources and other  
9 industries which will be started in that area. In the  
10 case of the concern for Central China, however, there  
11 is no such provision in the Law. This can be accounted  
12 for by the fact that in this area Japanese aid, except  
13 in a few cases of enterprises to be started, will be  
14 mainly directed toward rehabilitation, replenishment  
15 and extension of the existing enterprises, which can  
16 be effected by controlling important matters of invest-  
17 ment and financing and by thus regulating their operation.  
18 In both cases, a certain degree of guidance will in-  
19 variably be given through the power of capital in the  
20 hands of holding companies.

21 "Privileges Granted to the Two Companies.

22 "The missions of the two companies are highly  
23 important from the point of view of the current national  
24 purposes. Moreover, their business may not be profitable  
25 from the first and many serious difficulties may stand



1 in the way of their successful operation. In view of  
2 these positive and negative factors which render the  
3 undertakings extremely momentous, the Government,  
4 besides making necessary investments in them, grants  
5 the two Companies many privileges by way of protection  
6 as provided in their respective Laws.

7 "Hence the Government invests in the concern  
8 for North China 175,000,000 yen, representing half the  
9 total amount of authorized capital of 350,000,000 yen;  
10 and in the concern for Central China 50,000,000 yen,  
11 representing also half the total amount of its author-  
12 ized capital of 100,000,000 yen. Of these governmental  
13 investments, certain amounts will be in forms of goods,  
14 which consists mainly of materials necessary for  
15 repair and construction of rolling stock, bridges and  
16 rails which have either been destroyed or taken away  
17 by the Kuomintang Government. Recognition of the right  
18 of these two companies to declare preferential divi-  
19 dends on shares owned by private interests, by which  
20 dividends of 6 percent per annum are assured, is another  
21 important privilege to be granted to them. For this  
22 purpose the Government will grant them subsidies of a  
23 certain fixed amount for the period of 5 years, be-  
24 ginning with the first year of their operation. As  
25 for the debenture issue, it has already been explained.

1 " A privilege to be granted here is that payment of both  
2 principal and interest will be guaranteed by the Govern-  
3 ment.

4 "Privileges generally entail supervision.  
5 The two companies do not constitute exceptions to this  
6 rule. They are required to get the approval of the  
7 Government with regard to raising loans, making changes  
8 in the articles of association, carrying out resolu-  
9 tions of merger and dissolution, and disposal of profits.  
10 With regard to plans for investment and financing for  
11 each fiscal year, also, they are to get governmental  
12 approval. Furthermore, the Government may give the  
13 companies such orders as are deemed necessary for the  
14 purpose of their supervision and of national defence.  
15 These and other supervisory measures are provided for  
16 in the Laws."

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1 MR. HAUXHURST: The prosecution now desires  
2 to present and offer into evidence its document No.  
3 1505-B, "Tokyo Gazette, January 1939, The Programme  
4 for Economic Development of China. Board of Planning."  
5 Part II.

6 THE PRESIDENT: Admitted as before.

7 CLERK OF THE COURT: Prosecution's document  
8 No. 1505-B, to-wit: A copy of the Tokyo Gazette,  
9 January, 1939, will receive exhibit No. 461, and the  
10 excerpt therefrom, the same number, exhibit 461-A.

11 (Whereupon, prosecutions document No.  
12 1505-B was marked prosecution's exhibit No.  
13 461, and the excerpt therefrom, the same number,  
14 was marked prosecution's exhibit No. 461-A and  
15 were received in evidence.)

16 MR. HAUXHURST: This document is quite long  
17 and goes into detail a good deal about the kinds of  
18 companies that they are to organize and take over.  
19 It seems to me it would be profitable just to point  
20 out a few paragraphs that I think are important at  
21 this point, as approaching the economic phase rather  
22 than go into the reading of the whole document. You  
23 see, it is part of the document that I have just read.

24 We have checked these excerpts with the  
25 Language Section of the Court, so that they are fully

1 advised as to what I expect to read without much  
2 delay in finding the paragraph. (Leading)

3 "Tokyo Gazette, January 1939. The Programme  
4 for Economic Development of China. Board of Planning.

5 II

6 "In the last issue of Tokyo Gazette, an  
7 outline was given of the China development programme,  
8 particularly with reference to functions and opera-  
9 tions of the North China Development Company and the  
10 Central China Promotion Company. In the present  
11 article, undertakings for development and promotion  
12 purposes to be conducted by their subsidiary companies  
13 will be discussed rather fully. And in doing so,  
14 those in North and in Central China will be taken up  
15 separately.

16 "In North China.

17 "The vital importance of public utility  
18 enterprises, such as transportation and harbour  
19 and port improvements and generation and transmission  
20 of electricity in relation to the general work of  
21 development of natural resources, is widely re-  
22 cognized. Naturally, such undertakings will be con-  
23 sidered first.

24 "With regard to transportation and harbour  
25 and port improvements, an immediate proposal has been



1 the creation of a concern with the operation of rail-  
2 ways as its principal undertaking. The question,  
3 however, as to the advisability of operating under-  
4 takings relating to harbours and ports, which have  
5 functions as essential as railways in the economic  
6 development of that part of China, under one and the  
7 same management is still an open one; concrete plans  
8 concerning this company have not been decided on."

9 And then to the next page, the middle  
10 paragraph. (Reading)

11 "With regard to communications services, a  
12 concern named the North China Telegraph and Telephone  
13 Company, Limited, was established on July 30, 1938.  
14 This concern is capitalized at 35,000,000 yen, which  
15 is made up of investments by the Provisional Govern-  
16 ment at Peking amounting to 10,000,000 yen, including  
17 that in the form of equipment and other capital goods,  
18 and investments amounting to 25,000,000 yen by the  
19 North China Development Company and other companies  
20 operating in enterprises closely related to com-  
21 munications. Its main line of business is to con-  
22 struct and operate wire and wireless telegraph and  
23 telephone services, including the submarine cable.  
24 The successful operation of this new concern is ex-  
25 pected to work greatly toward the realization of a

1 communications policy based on Japanese-Manchoukuoan-  
2 Chinese collaboration. Needless to say, this con-  
3 cern is operating in communications services not only  
4 between different parts of North China but also be-  
5 tween Japan, Manchoukuo, and the rest of the world."

6 The next sentence in the next paragraph.

7 (Reading)

8 "Establishment of a concern or concerns for  
9 the purpose of generation and transmission of elec-  
10 tricity, important as this is, has not as yet been  
11 fully decided on."

12 And then turning to page 3, "Natural Resources."

13 (Reading) "Natural Resources." "Enterprises for  
14 developing natural resources which will likely be  
15 aided and placed under the coordinated control by  
16 the Development Company through investment and  
17 financing, as have been previously explained, are  
18 mines and those relating to the manufacture, sale  
19 and utilization of salt. With regard to the former,  
20 iron and coal mines will be the first to receive  
21 Japanese aid.

22 "Deposits of iron ores in North China amount  
23 approximately to 200,000,000 tons, representing more  
24 than half of the deposits in the whole of China  
25 which are said to be 350,000,000 tons. Of these only

1 a small portion has been developed and produced. The  
2 mine having the largest deposits is the Lungyen Iron  
3 Mine in Chahar Province. Here the deposits are said  
4 to amount to some 90,000,000 tons. For the develop-  
5 ment of this mine, a semi-official company was es-  
6 tablished in 1918, and the construction of an iron  
7 works with one blast-furnace was started in" -- I  
8 can't pronounce that name.

9 THE PRESIDENT: You are reading outside of  
10 the marked part. I don't know whether you meant to,  
11 but it doesn't seem to be of any importance.

12 MR. HAUXHURST: Yes. And then to the para-  
13 graph at the bottom of the page. (Heading)

14 "An iron mine company which is expected to  
15 be established soon may centre its operations in the  
16 development of the Lungyen Mine. Iron Works at Shih-  
17 chingshan, Taiyuan and Yangchwan may also come under  
18 its management. Part of the ores from this mine and  
19 the surplus of pig iron produced in these iron works  
20 will be exported to Japan, while steel produced will  
21 be consumed on the spot. Already the Hsingchung  
22 Company is exporting to Japan the ores mined years ago.

23 "Coal is another important mineral product  
24 in North China. In Shantung Province, deposits are  
25 said to total more than 1,500,000,000 tons. Important

1 coal-fields in the Province are those at Poshan,  
2 Tzechwan, Changkiu and Fangtze. Their annual outputs  
3 amount fo 1,500,000, 7,800,000 and 4-500,000"---  
4

5 I didn't intend to read that thing. I  
6 would like to proceed to the top of page 5. (Reading)

7 "In developing these coal resources," --

8 In some way, the copy that I have has been mixed up  
9 with the one that I intended to read. I am not sure  
10 that this corresponds to the check, although I  
11 thought it was this morning when I handed it to them.

12 THE PRESIDENT: Our copies appear to be  
13 marked clearly enough.

14 MR. HAUXHURST: I would like to start at  
15 the bottom of page 4, in connection with the Anglo-  
16 Chinese concern. (Reading)

17 "Thus the deposits in all the Provinces of  
18 North China are estimated to total to 130-40 billion  
19 tons, representing 50-70 per cent of those of the  
20 whole of China. The total annual output, however,  
21 amounts to no more than some 15,000,000 tons. Here  
22 again, the question as to the principle governing the  
23 number and distribution of companies to be established  
24 for the mining and sale of coal from those widely  
25 dispersed coal-fields and its sale has yet to be  
decided on.



1            "In developing these coal resources, the new  
2 company will aim at ensuring smoothness in the  
3 domestic consumption of coal in China by carrying out  
4 controlled supply, and at the same time meeting its  
5 demands in Japan, particularly the urgent demands  
6 for cohesive coal for the purpose of manufacturing  
7 iron. The volume of coal consumption in Japan will  
8 rapidly increase with the development of her industry,  
9 while the increase in production of coal is not likely  
10 to keep pace with such growing demands. As things  
11 stand, it will be necessary, ten years hence, to im-  
12 port annually hundreds of millions of tons. In the  
13 light of the current rates of foreign exchange and  
14 of transportation charges, not to speak of the pro-  
15 gramme of industrial expansion in Manchoukuo, which  
16 will perhaps demand the greater part of her own coal  
17 outputs, the natural direction to which Japanese in-  
18 dustry will turn for the supply of coal must be  
19 that of China.

20            "Coal fields in Kailan and in Shantung alone,  
21 however, cannot be depended upon for such a purpose,  
22 because of their limitations in outputs, natural  
23 conditions or ages. The field most suitable for  
24 the purpose, in other words, for large-scale new  
25 development is held by many experts to be the Tatung

1 field, the annual output of which can be made, ac-  
2 cording to them, to reach the 200,000,000 ton level.

3 "A concern for operating in the production,  
4 by liquefying coal, of liquid fuels, in which the  
5 three countries of Japan, Manchoukuo and China are  
6 suffering from shortage, is also being planned.

7 "As for an enterprise concerned with the  
8 manufacture, sale and utilization of salt, it con-  
9 stitutes an indispensable item in the development  
10 programme; and its foundation, of course, is the  
11 salt field."

12 And then to the top of page 6. (Reading)

13 "Salt imported to Japan from overseas ter-  
14 ritories and foreign countries, which amounts even  
15 today to 1,500,000 tons, can be classified, according  
16 to the places of its production, into two kinds,  
17 pelagic and coastal salt. The latter kind is imported,  
18 excepting the supply from overseas territories, from  
19 Manchoukuo, China, French Indo-China and Java; while  
20 the former is imported mainly from African Eritrea,  
21 Italian and French Somaliland, Egypt, Sudan and Aden.  
22 For supplying the growing demand of salt in Japan,  
23 it is certainly advisable, for economic and other  
24 reasons, to depend as much as possible upon salt from  
25 China. Accordingly, the rehabilitation and increase

1 of production of Changlu and Shantung salt by the new  
2 concern are urgently called for from the standpoint  
3 of the expansion of Japanese industries as well as  
4 from that of the domestic consumption in China for  
5 food and industries.

6 "In Central China.

7 "Industrial promotion in Central China has  
8 been planned to include the reconstruction and dev-  
9 elopment of railways centering in Shanghai, bus and  
10 communication services, electrical undertaking, water-  
11 works, mining and fisheries. Plans regarding con-  
12 cerns to be established as subsidiary companies of  
13 the Central China Promotion Company have been making  
14 progress."  
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1 I would like to move, then, to the next page,  
2 to the item entitled "Iron Mines."

3 (Reading) "Iron Mines. Central China has  
4 also been blessed with iron mines, the most essential  
5 natural resource for modern nations. Iron deposits  
6 in the Yantze Valley are said to amount approximately  
7 to 100,000,000 tons, representing 35 per cent of the  
8 total deposits in all China. Favourably situated  
9 geographically and producing rich ores, these resources  
10 have been developed to a greater extent than those in  
11 North China. Viewed as a whole, however, the develop-  
12 ment of iron resources in the country has been extremely  
13 insignificant in relation to the total volume of depos-  
14 its of the ores, their total annual output being no  
15 more than 1,300,000 tons."

16 And then skipping the next paragraph:

17 "For the purpose of developing these resources,  
18 the Central China Iron Mine Company, Limited, came into  
19 being on April 8, 1938. This company has not as yet  
20 been fully capitalized, the only principal investment  
21 in it being 10,000,000 yen by Japanese interests,  
22 including that of 4,500,000 yen by the Promotion Com-  
23 pany. The investment by Chinese interests, other than  
24 a negligible amount already invested in the form of  
25 deposit money, will be made in the form of equipment

1 and goods, when negotiations have been concluded regard-  
2 ing appraisals of their mines. Furthermore, since  
3 the Wuhan district has been occupied by Japan, the  
4 rehabilitation and development of the Tayeh and other  
5 mines in the upper Yantze Valley have now been called  
6 for.

7 "Other Enterprises.

8 "A concern for controlling transportation on  
9 creeks has also been established as one of the subsi-  
10 diary companies. Simultaneously, plans are favourably  
11 progressing for the creation of concerns to operate  
12 in bus services, fisheries, and salt manufacture in  
13 the neighbourhood of Haichow.

14 "Thus, through well-planned, thoroughgoing  
15 Japanese aid, the economic life of the new China will  
16 fast be revived and developed not only for the prosperity  
17 of the Chinese people but also for that of all coun-  
18 tries in East Asia."

19 I would like at this time to introduce into  
20 evidence on behalf of the prosecution, its document  
21 No. 1529-D. This is the Tokyo Gazette, Volume 495,  
22 for November 1940; and as part of this document is also  
23 an article in the December number, 1940, entitled  
24 "Summary of the Program for Economic Construction  
25 Embracing Japan, Manchukuo and China."



1 THE PRESIDENT: Admitted as before.

2 DEPUTY CLERK OF THE COURT: Prosecution's  
3 document No. 1529, being two copies of the Tokyo Gazette,  
4 to-wit, 5 and 6 November and December 1940, will be  
5 given exhibit No. 462; and the excerpt therefrom, to-  
6 wit, prosecution No. 1529-D, will receive exhibit  
7 No. 462-A.

8 (Whereupon, the documents above  
9 referred to were marked prosecution's exhibits  
10 No. 462 and **462-A**, respectively, and were  
11 received in evidence.)

12 MR. HAUXHURST: The first article: "Indus-  
13 trial Reconstruction in China," by the Cabinet Infor-  
14 mation Bureau. This article also contains duplications  
15 of matters that have already been read to the Tribunal,  
16 so there will be a few excerpts referred to **which** have  
17 been checked with the Language Section.

18 At the bottom of the first page, the paragraph:

19 "The low productivity of Chinese industry has  
20 a cramping effect and does not allow the rich indus-  
21 trial resources of the country to be used for her own  
22 advantage. Instead such resources have mostly been  
23 exported in the form of raw materials to feed the  
24 advanced industries in distant parts of the world, and  
25 which in turn necessitated the importation of raw

1 materials required for Chinese industry. Furthermore,  
2 this low industrial productivity has at best secured  
3 to the workers an extremely low livelihood, with the  
4 result that Chinese industry has been unable to sepa-  
5 rate itself from agrarian economy."

6 And then the second paragraph on page 2 of the  
7 English statement, part of it:

8 "As 80 per cent of the industrial plants in  
9 China was concentrated in the five industrial centres,  
10 direct damages sustained by them as a result of the hos-  
11 tilities were enormous. In Shanghai, according to  
12 statistics compiled by the Social Affairs Bureau of  
13 the old Shanghai Municipality in November, 1936,  
14 2,998, or about 55 per cent, out of the 5,525 factories  
15 in that city were destroyed. Damages increased still  
16 further consequent on the fall of Nantao. All in all,  
17 damages to factories in the city were estimated at  
18 800,000,000 yuan."

19 And then to the top of page 3:

20 "Rehabilitation. The industrial areas thus  
21 affected by the hostilities are the strategic districts  
22 under the new Chinese Government. It is necessary,  
23 therefore, to undertake first of all the rehabilitation  
24 of factories, rescue work and maintenance of peace and  
25 order in those stricken cities. For this purpose, all

1 the factories which were deserted by their owners have  
2 been placed temporarily under the supervision of the  
3 Japanese military, or consigned to Japanese interests.  
4 Many Chinese factory owners were able to reopen their  
5 plants by the aid of Japanese capital and engineering  
6 skill under Sino-Japanese management. This arrange-  
7 ment has attracted no small amount of Japanese capital  
8 to China and has helped many a prostrate Chinese  
9 factory to regain its feet."

10 And then to the paragraph at the bottom of  
11 the page:

12 "From Restoration to Construction. With  
13 the progress of restoration work, Chinese industry has  
14 entered a new stage of development and should there-  
15 fore expand along modern lines. Under Japan's leader-  
16 ship, a plan is now under way for the systematic devel-  
17 opment of North China, including the Mongolian pro-  
18 vinces, with a view to preventing the infiltration of  
19 Communism and stimulating China's productive power.  
20 Under this plan, various industries such as coal, iron,  
21 coal liquefaction, electric power and salt industries  
22 have been placed under economic control, while spin-  
23 ning and other industries were allowed to remain as  
24 free enterprises. In November, 1937, the North China  
25 Development Company was organized as a holding company



1 for controlling various subsidiary companies related  
2 to such industries. As for free enterprises, they are  
3 to be conducted in accordance with the following three  
4 basic principles for the establishment of a new order  
5 in East Asia: (1) Japan, Manchoukuo and China must  
6 avoid economic rivalry; (2) Any enterprise which may  
7 call for dual investments will be restricted; and  
8 (3) Indiscriminate duplication of enterprises of the  
9 same kind must be avoided. Accordingly, policies based  
10 on these principles have been formulated to regulate  
11 free enterprises.

12 "This policy of regulating industry is intended  
13 to promote a healthy development of Chinese industry,  
14 and to encourage Sino-Japanese economic cooperation  
15 by affording it political and economic security. The  
16 declaration of the commander-in-chief of the Japanese  
17 expeditionary forces in China on March 18, to the effect  
18 that factories under Japanese military supervision are  
19 to be restored to legitimate Chinese ownership is ani-  
20 mated with the same spirit. Such is the political,  
21 economic and military policy of the Japanese Government  
22 in the special areas of North China as it is in Central  
23 China. Important industries are controlled by the  
24 North China Development Company and the Central China  
25 Promotion Company, while minor industries may be

1 undertaken as free enterprises.

2 "North China.

3 "The method of industrial control is of special  
4 interest. Up to the outbreak of the China Affair, a  
5 greater part of the iron industry in North China was  
6 still undeveloped, and the Shihchingshan refinery had  
7 been closed for 20 years. The iron industry is now  
8 under the direction of the Lungyen Mining Company, a  
9 Sino-Japanese organization established in July, 1939.  
10 The Shihchingshan Iron Works has been put into opera-  
11 tion since November, 1938, the Yanghuan Iron Works since  
12 June, 1939, and the Taiyuan Iron Works since November,  
13 1939, and they are doing very creditably."

14 One part of the paragraph on page 5, the  
15 second paragraph:

16 "In Central China, there are 12 subsidiary  
17 companies of the Central China Promotion Company. The  
18 Huachung Salt Company, established in August, 1939, is  
19 developing the salt fields of Haichou. It also intends  
20 to develop new salt fields by directly investing its  
21 capital or by accommodating loans."

22 I would now like to read from the December  
23 issue of the Tokyo Gazette as it appears at the end  
24 of this document.

25 THE PRESIDENT: This is a convenient break.

1 We will recess now for fifteen minutes.

2 (Whereupon, at 1045, a recess was  
3 taken until 1100, after which the proceedings  
4 were resumed as follows:)

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1 MARSHAL OF THE COURT: The Tribunal is  
2 now resumed.

3 THE PRESIDENT: Mr. Hauxhurst.

4 MR. HAUXHURST: May it please the Tribunal,  
5 1529d, Tokyo Gazette for December, 1940. (Reading):

6 "SUMMARY OF THE PROGRAMME FOR ECONOMIC CONSTRUCTION  
7 EMBRACING JAPAN, MANCHOUKUO AND CHINA

8 "Announced by the Cabinet Information Bureau on  
9 November 5, 1940 --

10 "Basic Purposes

11 "Now that the fundamental national policy  
12 of establishing the Greater East Asiatic sphere of  
13 common prosperity, which aims at the construction of  
14 a new world order, has entered upon a new phase with  
15 the conclusion of the Three-Power Pact between Japan,  
16 Germany and Italy, the Government, at a recent session  
17 of the Cabinet Council, have decided on the Summary  
18 of the Programme for Economic Construction Embracing  
19 Japan, Manchoukuo and China, with a view to coping  
20 with new developments in the situation, and intend  
21 hereafter to carry out national policies consistently  
22 in conformity with that fundamental national purpose.  
23 The objective of the new policy is to realize unpre-  
24 cedented progress in the Greater East Asiatic sphere  
25 of common prosperity based upon a comprehensive  
economic development of the three countries, in accord-



1    ance with a new outlook on the economic order.

2               "The world economic system of free trade  
3    resting upon the basic assumption that peoples and  
4    nations everywhere can freely exchange goods is in the  
5    process of disintegration. Accordingly, the Japanese  
6    system is also called upon to reorganize on a new basis  
7    discarding the old structure which is dependent on the  
8    old order. In this reorganization, however, Japanese  
9    economy must be made a higher, broader and stronger  
10   structure, capable of leading the peoples of East Asia  
11   to improve their living conditions and to find their  
12   respective places in the new world order. What is meant  
13   here by 'higher' is that the power of life in possession  
14   of our nation must be made to create a higher productiv-  
15   ity; by 'broader' is meant that the sphere of mutual  
16   economic dependence must be extended from that of Japan,  
17   Manchoukuo and China to that of Greater East Asia and  
18   must be firmly established, and by 'stronger' is meant  
19   that impregnable economic strength able to meet any  
20   situation must be maintained by keeping the extent to  
21   which Japanese economy is dependent upon other coun-  
22   tries to a minimum. To this end sufferings attendant  
23   on efforts of renovation must be overcome internally  
24   and any pressures and threats from outside be repulsed,  
25   by uniting all the forces and resources of the nation

1 and by a determined will. Thus a new East Asiatic  
2 economic order under Japanese leadership must be  
3 established within about ten years. In this East Asi-  
4 atic order alone, the economic system not only of Man-  
5 choukuo and China but also of other countries of East  
6 Asia can be expected to improve and develop to the  
7 highest extent.

8 "Essentials of Basic Principles

9 "For the purpose of realizing the task of  
10 constructing a new East Asiatic order and thereby en-  
11 suring the lasting peace of the world, the processes  
12 of the renovation of her internal structure and of the  
13 enlargement and organization of her living sphere must  
14 be brought into perfect unity. Her basic economic  
15 policies must accordingly be established upon the or-  
16 ganized planning of the three following processes:

17 "1. Perfection of the reorganization of  
18 national economy.

19 "2. Organization and strengthening of Japan-  
20 ese-Manchoukuo-Chinese economy.

21 "3. Enlarged organization of the East Asiatic  
22 sphere of common prosperity.

23 "Basic Lines of Policy

24 "1. The objective of the programme for eco-  
25 nomic construction embracing Japan, Manchoukuo and China

1 is to establish a self-supporting self-sufficient  
2 economic structure within about ten years, in order  
3 to strengthen the position of East Asia in the world  
4 economy by accelerating the construction of the East  
5 Asiatic sphere of common prosperity.

6 "2. Guiding principles on which Japan is  
7 to undertake the economic construction programme em-  
8 bracing the three countries lie in the promotion of the  
9 general welfare in an ideal state of co-existence and  
10 common prosperity through the unitary cooperation of  
11 the three countries, in accordance with the high and  
12 broad spirit of Hakko Itiu.

13 "3. In order to expedite the economic con-  
14 struction Japan will endeavour to uplift the morale of  
15 the nation, renovate the internal structure, augment  
16 national strength while rendering assistance to the  
17 economic reconstruction of Manchoukuo and China. For  
18 this purpose she will strive for the promotion of  
19 science and technique and undertake the development  
20 of pioneer industries.

21 "4. Manchoukuo, being in an inseparable re-  
22 lationship with Japan, is expected to swiftly perfect  
23 and develop important basic industries.

24 "5. China is expected to develop her re-  
25 sources and reconstruct her economic system in collab-

1 oration with Japan and Manchoukuo; in particular,  
2 progress in communications and transport services,  
3 smooth exchange of goods, and development of essen-  
4 tial industries and resources are called for. Thus  
5 she is expected to contribute to the establishment  
6 of the East Asiatic sphere of common prosperity."  
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1           "6. With a view to adjusting and accelerating  
2 the organized planning of economic construction  
3 embracing Japan, Manchoukuo and China, the adminis-  
4 trative machinery relating thereto shall be speedily  
5 perfected.

6           "Practical Policies

7           "In view of the fact that Japan, Manchou-  
8 kuo and China constitute the backbone of the East  
9 Asiatic sphere of common prosperity, having thereby  
10 the duty to regulate economic relations on the basis  
11 of their closest union, the government have decided  
12 on essential policies in respect to spheres of in-  
13 dustrial activity, labour, finance and banking, ex-  
14 change, and communications and transport covering  
15 the three countries.

16           "Spheres of Industrial Activity

17           "In determining spheres of industrial  
18 activity, the conditions peculiar to the three  
19 countries and their respective phases of econo-  
20 mic development should be considered, thereby  
21 effecting decisions from the comprehensive point of  
22 view and treating them as an organic whole.

23           "Viewed in that light, Japan should here-  
24 after strive for the promotion of the highest type  
25 of precision industry as well as mechanical industry

1 while endeavouring to develop basic industries, such  
2 as the heavy, chemical and mining industries.

3 "Manchoukuo is expected to make an epoch-  
4 making advance in the mining industry and in elec-  
5 trical undertakings. For the development of her  
6 heavy and chemical industries Japan is prepared to  
7 offer necessary assistance.

8 "China is expected to develop her mining  
9 and salt industries and to undertake large-scale pro-  
10 duction of raw materials. Since her natural condi-  
11 tions afford much room for the development of heavy  
12 and chemical industries, progress along that line is  
13 also expected hereafter.

14 "The development of light industries on the  
15 Continent must be greatly promoted. In this connect-  
16 ion, it is necessary that Japan should readjust her  
17 light industries, particularly the fibre and mis-  
18 cellaneous industries. Their removal to the Contin-  
19 ent must be seriously considered.

20 "With regard to agriculture in Japan,  
21 measures will be taken for the improvement of various  
22 systems relating to land, renovation of farm manage-  
23 ment, betterment and security of the living of farmers  
24 and ensuring of the staple food of the people as  
25 well as the maintenance of definite numbers in the

1 farm population. Measures will also be taken, in  
2 this connection, for the steady development of fishery  
3 enterprises and for the rationalization, utilization  
4 and conservation of forest resources.

5 "With regard to agriculture in Manchuria,  
6 in view of the position of that area as a base for  
7 the supply of foodstuffs and fodder for Japan, Man-  
8 choukuo and China, and as the source of supply to  
9 the world of special agricultural products, the in-  
10 crease to the fullest extent of agricultural pro-  
11 duction is expected. For the purpose of this develop-  
12 ment, the migration of Japanese agricultural settlers  
13 will be facilitated. In respect to agriculture in  
14 China, efforts for the assurance of the staple food  
15 of the nation must be made. The increase of the pro-  
16 duction of cotton and other staples is also urgent.

17 "Labour

18 "In order to hold a predominant position  
19 in world economy, the place of labour and technique  
20 will become increasingly important. For this pur-  
21 pose, their structure in Japan must be radically  
22 revised. Moreover, labour power available in each  
23 of the East Asiatic countries and regions must be  
24 enabled to make its contribution to the improvement  
25 of the whole labour force, thereby maintaining the

1 superiority of the East Asiatic sphere in world econ-  
2 omy. With this in view Japan intends to perfect a  
3 new structure in labour and technique, endeavouring  
4 to train and build up the bodies and minds of  
5 workers, to provide a thoroughgoing scientific edu-  
6 cation, to heighten the productivity of labour and  
7 to train technicians and skilled workers. Thus the  
8 economic construction of Manchoukuo and China will  
9 be accelerated and assisted as required by the two  
10 countries; Manchoukuo and China will be supplied  
11 with technicians and skilled workers capable and  
12 necessary for their industrial development and econ-  
13 omic construction. Needless to say, the two count-  
14 ries themselves have to train those types of men  
15 in view of the importance of technique. It is further  
16 required of Manchoukuo that she should plan not  
17 merely for the migration to and settlement in the  
18 country of labourers from North China but for the  
19 establishment of measures for the self-sufficiency  
20 of labour as well as the improvement of its manage-  
21 ment, in particular, in the mining industry.

22 "Finance and Banking

23 "With a view to expediting the construction  
24 of national-defense economy, the function of finance  
25 and banking also should be made to conform to the



1 national purpose. In other words, it should so  
2 function that the materials required by the State  
3 may be ensured in quality as well as in quantity.  
4 In order to make possible the execution of an indus-  
5 trial programme embracing Japan, Manchoukuo and  
6 China, the distribution of capital must be deter-  
7 mined according to an organized plan and a system  
8 equal to that task be set up. In that connection,  
9 there must be perfected a financial mechanism faci-  
10 litating the storing of staple goods, in keeping  
11 with the progress of technique, along with the crea-  
12 tion of spheres of industrial activity, and with  
13 changes in industrial equipment. Capital required  
14 for the three countries must of course be supplied  
15 by their own accumulation. To this end measures  
16 must be taken by the three countries for the increase  
17 and efficient utilization of such accumulation.  
18 With regard to capital necessary for the develop-  
19 ment of essential industries, Japan is prepared to  
20 give assistance in its supply. And the relation-  
21 ship of mutual assistance in international settle-  
22 ments should be established between the three  
23 countries as their economic relations become increas-  
24 ingly closer.

25 "Exchange

1 "In respect to exchange in the coming new  
2 world order, the principle of commercial trade of  
3 the past must be revised to a considerable extent;  
4 there must emerge the principle of productive trade,  
5 which enables each country, region and economic  
6 sphere to supply to others goods required by them  
7 in exchange for the goods necessary for its own  
8 planned production; and which regulates trade be-  
9 tween those countries and regions, not to speak  
10 of that between Japan, Manchoukuo and China, in  
11 such a manner as will create a mutual, unitary relat-  
12 ionship. In so doing, a special agreement for pay-  
13 ments between those countries and regions will be  
14 required, with a view to facilitating the closer  
15 flow of goods between them.

16 "Communications and Transport

17 "With the closer flow of goods between  
18 Japan, Manchoukuo and China as well as between the  
19 regions in the sphere of common prosperity, systems  
20 of communications and transport between the three  
21 countries must be perfected and operated by a com-  
22 prehensive and organized plan, thereby ensuring the  
23 security of the whole of the sphere. Accordingly,  
24 the connection between land and sea transport  
25 services of the three countries must be expedited;

1 a large-scale increase in shipping, control of and  
2 connection between air lines, as well as the per-  
3 fection and extension of electric communication  
4 facilites, must be planned."  
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1 Prosecution now desires to introduce into  
2 evidence its document No. 2203, being part five of  
3 the Chinese Incident, "Document Purporting to Estab-  
4 lish Provisional Government at Peiping and Restora-  
5 tion Government at Nanking."

6 THE PRESIDENT: Admitted as before.

7 CLERK OF THE COURT: Prosecution's document  
8 No. 2203 will receive exhibit No. 463 and the ex-  
9 cerpts therefrom exhibit No. 463-A.

10 (Whereupon, prosecution's exhibit  
11 Nos. 463 and 463-A were received in evidence.)

12 MR. HAUXHURST: In this connection I would  
13 like to refer the Tribunal's attention to the testi-  
14 mony of witness John Goette in connection with pro-  
15 visional governments as appears on page 3853 to  
16 3860 -- and 3860 of the record. I have been re-  
17 quested by the General Affairs Section -- General  
18 Affairs Bureau to ask for a release of this document  
19 as soon as it is available as they apparently have  
20 need for it.

21 This is a copy of a document the original  
22 of which was destroyed in bombing. Application will  
23 be made in accordance with the rules of this Court  
24 for that matter.

25



1 (Reading)

2 "The Provisional Chinese Government

3 "In 1937, following the collapses of TEH-  
4 CHOW, SUIYUAN, CHANGTE, TAIYUAN etc. in North China,  
5 at the end of November the National Government had  
6 broken up and removed to HANKOW, CHUNGKING and  
7 CHONSHA and finally NANKING collapsed on 13 December,  
8 deciding the general trend of war situation. Thus  
9 the opportunity to establish a new regime which was  
10 pre-arranged among the important men in North China  
11 had matured.

12 "The circumstances which WANG KO-MIN con-  
13 sented to become the head of the North China regime  
14 are as follows: At the beginning of the Incident he  
15 was at HONGKONG. The head of special service facil-  
16 ities in PEKING, major general KITA, eagerly made  
17 efforts through Fiji YAMAMOTO, who was in SHANGHAI,  
18 to persuade WANG to accept the invitation; meanwhile,  
19 staff officers from PEKING and FORMOSA were specially  
20 dispatched to HONGKONG for the same purpose. As the  
21 result WANG came to SHANGHAI on 24 November, and on  
22 6 December made a flight to FUKUOKA and went to North  
23 China with YAMAMOTO and YU CHIN.

24 "It is said that when WANG entered SHANGHAI,  
25 he had not yet consented to become the head of the

1 North China regime but on condition that he make an  
2 inspection trip he consented to the journey.

3 "The North China army authorities had made  
4 great efforts under the plan to establish the North  
5 China regime as the Central Government of China in  
6 the future and arranged to invite not only WANG but  
7 other influential men from South China through YOSHINO  
8 and IMAI (military officers) who were stationed in  
9 SHANGHAI. Toward this policy the central army and  
10 General TERAUCHI gave approval; however, a section of  
11 the military officers in SHANGHAI expressed opposition,  
12 especially Colonel KUSUMOTO was opposed to pulling out  
13 many influential men from SHANGHAI, on the ground that  
14 there is no necessity to determine North China as the  
15 political center from the beginning.

16 "After the arrival in PEKING, WAN Ko-Min  
17 decided to accept the chairmanship of the North  
18 China regime and determined Government organization  
19 and fundamental principles. On 14 December 1937,  
20 the Provisional Chinese Government was established  
21 in PEKING.

22 "The Government organization and the fun-  
23 damental principles are as follows:

24 "(1) The Government shall be organized,  
25 under the head of the Government, with mutual legis-

1        lative independence, the executive and the judicial  
2        and with the independent committee mentioned below:

3                "(a) The Committee of discussing policies  
4        (to discuss important national policies and general  
5        political affairs)."

1 Unless the Court feels it is necessary to  
2 read all of the names of the particular officers, I  
3 will skip down from "(1)" to "(2)."

4 "The national flag: 5 colored flag

5 "(3) The gist of the declaration.

6 "(a) We restore democracy and eliminate unclean  
7 party politics.

8 "(b) We absolutely abolish communism.

9 "(c) We enhance the morality of the Far East  
10 and promote friendly relations between  
11 other nations.

12 "(d) We exploit industries and improve nation-  
13 al welfare.

14 "(e) We accept complete responsibilities for  
15 the duties declared by the previous  
16 Government.

17 "As the result of the new establishment of  
18 the Provisional Government, the Committee of maint-  
19 enance of Peace in Peking district, the Committee of  
20 maintenance of Peace in Tientsin and the Federation  
21 of maintenance of Peace in Ping Tsien had joined and  
22 on 30 June 1938, the KITUNG regime combined with the  
23 new Provisional Government."  
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1 "According to the 'Fundamental principles  
2 to manage the Incident(A)' which was decided soon  
3 after the establishment of the Provisional Govern-  
4 ment at the Cabinet meeting, the Japanese Govern-  
5 ment will cooperate with the Nanking Government  
6 to save the situation if the Nanking Government  
7 reconsiders. However, if the Nanking Government  
8 does not reconsider and continues the so called  
9 long-term resistance, Japan will not expect to  
10 negotiate with the Nanking Government in the future,  
11 and furthermore to meet the necessity to manage the  
12 vast areas occupied by the Japanese forces, hence-  
13 forth Japan will take separate measures.

14 "In North China, the main policies are to  
15 promote public peace and welfare; politically, to  
16 establish a regime which has anti-Comintern aims,  
17 pro-Japanese and Manchukuo policies; economically,  
18 to establish an indivisible relationship between  
19 Japan, Manchukuo and China and gradually expand  
20 and strengthen this regime to make the central  
21 power of the regenerated China. However, if the  
22 negotiation between the old Nanking Government  
23 are brought about, this Government shall be adjusted  
24 in accordance with the conditions of peace.

25 "Further, based upon 'the basic policy on

1 the disposition of the China Incident decided by the  
2 Imperial Conference met on the 11th of January 1938,  
3 our Government has set up its policy to the effect that  
4 as regards the Central Government, we reserve a right  
5 to negotiate with the old Nanking regime on the basis  
6 of the peace terms drawn up separately in case it  
7 makes reflection, changes its mind and approaches us  
8 with sincerity, seeking peace: that, if on the con-  
9 trary it makes no peace offer to us we drop our idea  
10 to seek a solution of the conflict through further  
11 negotiation with it; that we help create a new Chin-  
12 ese regime and cooperate with it to build up a new  
13 reform China by making an arrangement with it to re-  
14 gulate the relations between the two countries; that we  
15 on the other hand endeavor either to crush the old Nan-  
16 king regime or to get it merged into a new central regime.

17 "With regard to the peace negotiation which we  
18 have so far been taking up through the intermediary  
19 of the German Government, the old Nanking Government  
20 has on January 14th advised us through the German  
21 Ambassador in Nanking that in order for it to arrive  
22 at a final decision, it desires to have further details  
23 of our demands on the ground that this demand is too  
24 extensive in scope. We have taken it for granted  
25 that the present answer from the Chinese contains

1 no trace of a sincere wish for peace and is designed  
2 merely to delay the settlement, since they ought to  
3 have a full knowledge through Germany as to the  
4 basic peace terms set forth by the Japanese. Thus  
5 our government on or about January 15th has ceased  
6 to entertain any hope for a peace out of our negoti-  
7 ations with the Nanking Government, and the Cabinet  
8 has decided its policy to start the second phase  
9 of our measure in line with the policy decided by the  
10 Imperial Conference of January 11th, i.e. to take  
11 steps to help create and develop a new Chinese regime.  
12 In this connection our Government has on the 16th  
13 made public a statement domestically and abroad as to  
14 the foregoing and at the same time notified the Chinese  
15 to terminate our peace negotiation between us.

16 "2. Movement for establishment of a new govern-  
17 ment in Central China.

18 "When the Japanese force crushed the Chinese  
19 army in Shanghai and its vicinity, and subsequently on  
20 December 13th, 1937, captured Nanking, movements for  
21 creating a new regime in the Central China were  
22 launched. First of all, the Shanghai Tatsuo Municipal  
23 Government was organized in Shanghai on December 5th.  
24 In various places other than Shanghai public order  
25 maintenance associations came into being. Among these,

1 the major organs are the Nanking Public order main-  
2 tenance association and the Hangchow Public Order  
3 Maintenance Association established on January 1st  
4 1933. Nevertheless, in Shanghai area the influence  
5 of the Chiang regime and the Nationalist Party  
6 proved to remain strong, far more than what was  
7 anticipated, even after the fall of Nanking, so that  
8 it was impossible for the pro-Japanese elements to  
9 openly approach the Japanese even in the International  
10 Settlement. Thus, the matter of building up a sub-  
11 stantial regime had long been difficult unlike the  
12 case in North China.

13 "The movements for establishing new regimes  
14 started during the fall of Nanking up till the date  
15 when the Restoration Government came into being may  
16 be summerized as follows:

17 "(1) Shanghai City Tatao Government (Tatao  
18 Municipal Government).

19 "With regard to the above government, it  
20 is reported that Colonel KUSUMOTO of the office of  
21 Embassy Military Attache and Colonel KAGESA of the  
22 Headquarters of General Staff had consulted with each  
23 other and helped towards its formation. The naval  
24 authorities and the Foreign Ministry Officials on  
25 the spot were entirely uninformed thereof until the



1 moment when this government started to assume a  
2 concrete form. Thus, this government was at the  
3 time generally very unpopular (Mayor SU Hsi-wen is a  
4 Fukienese, a graduate of Waseda University, and was  
5 one time an official with duties in salt affairs).

6 "This municipal government put under its  
7 jurisdiction the following districts: Pu Tung,  
8 Nanking, Hu Si, Chapei, Chi Ju, the center of the  
9 City, Wusung, Peh Kiao, Kiatung, Paochan, Fensien,  
10 Nanhui, Chuansha, and Tsungming, and consists of  
11 the following; Secretariat office, special district  
12 administration office, social affairs section, police  
13 section, finance section, education section, sani-  
14 tation section, estate section, transport section,  
15 engineering section, legal board, general rural  
16 district administration office.

17 "(2) Shanghai War-Zone Relief and Rehabili-  
18 tation Association.

19 "The above association, mainly organized  
20 by a group of traders headed by YU Ye-ching and some  
21 others, backed by the Tsingpan controlled by CHANG  
22 Hsioling attempts to undertake the duties pertain-  
23 ing to the maintenance of public order and rehabili-  
24 tation of commerce and industry, and all sorts of  
25 remedial jobs in the war-zone of Shanghai. Although

1 it is termed as relief and rehabilitation association,  
2 it is rather a political body. A committee-system is  
3 adopted by it, headed by a chairman nominated by the  
4 committee by vote, and it had attempted to take up  
5 a representative system. This movement was launched,  
6 sponsored by influential members of the inhabitants  
7 in Shanghai, but it had, after all, ceased to run  
8 without a chance to develop into a form of govern-  
9 ment.

10 "(3) The Movement sponsored by the Sishan  
11 faction to uphold TANG Shao-i.

12 "In the early stage of the warfare in China,  
13 Commander MATSUI caused SUGANO Nagatomoe to come to  
14 Shanghai with him. SUGANO, together with YAMEDA  
15 Junzaburo and some others, then began to get in touch  
16 with CHIN Chung-fu, and tried to have the Sishan  
17 Faction, including TANG Shao-i, HSU Chung-chi, CHU  
18 Cheng and others, form a new regime. This effort,  
19 however, made no rapid progress. On the other hand,  
20 the TANG Shao-i group was skeptical and feared that  
21 the Japanese might come to a compromise with the  
22 Chiang regime in future or might attempt to create a  
23 purely puppet government. Thus, the attitude of  
24 this Chinese group was then rather passive. (Later  
25 TANG Shao-i and WU Fei-fu started cooperation with

1 each other and their collaboration showed signs of  
2 assuming material development, but the Tang-Wu  
3 coalition, which was to come into power, was frust-  
4 rated owing to the incident in which TANG fell a  
5 victim of assassins, which occurred in August 1938".

6 I would like to omit the reading of (4),  
7 (5) and (6), and continue on the next page, "3.  
8 The Restoration Government of the Republic of China."  
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1 (Reading) "3. The Restoration Government of the  
2 Republic of China.

3 "The movement for establishing a central  
4 regime in Central China has progressed to maturity  
5 when LIANG Hung-chi, JEN Yuan-tao, CHEN Chun and  
6 WEN Tsung-yao entered the political arena. It  
7 was rumored that Major General HARADA, and Colonel  
8 KUSUMOTO of the Army Special Service organ and the  
9 Naval Special organ in Shanghai gave assistance  
10 to all of these different streams of men in order  
11 to expedite collaboration between them. In con-  
12 nection with the establishment of the above govern-  
13 ment, however, the North China group soon began to  
14 create strong opposition.

15 "The major factors in the structure of  
16 the Restoration Government and its platform at  
17 the time when it was formally established on  
18 March 28th may be summarized as follows:

19 "(1) This government was a tripartite  
20 coalition in the form of a democratic constitu-  
21 tional government with three councils and seven  
22 departments in its formation."

23 I would like to go down from that to (2),  
24 omitting the reading of the departments.

25 "(2) National Standard: 5-color standard



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1 has been adopted.

2 "(3) Gist of the platform.

3 "(A) A constitutional form of government  
4 under tripartite coalition has been adopted, abol-  
5 ishing the single party absolutism.

6 "(B) The government will carry out anti-  
7 Comintern measures as far possible.

8 "(C) As regard foreign relations, the  
9 government will endeavor to guarantee equality,  
10 preservation of sovereignty, neutrality and amity,  
11 peace in East Asia and friendly relations with all  
12 the foreign nations.

13 "(D) The government will take steps  
14 for the relief of war sufferers, to provide aid  
15 to them for their return to normal business life,  
16 and for carrying out regional purges.

17 "(E) The government will take measures  
18 for the exploitation of natural resources, promotion  
19 of agriculture and industry, introduction of  
20 foreign capital and economic collaboration with  
21 foreign countries which are on friendly terms.

22 "(F) The government will endeavor to  
23 develop commerce, industry and banking, thereby  
24 to increase the national wealth.

25 "(G) The government will take steps

1 to advance the scientific knowledge of the nation  
2 on the basis of its own peculiar culture, and to  
3 purge radical education.

4 "(H) The government will rationalize  
5 its finance to make it more fit, and take steps  
6 to lessen the burden on the people.

7 "(I) The government will open the door  
8 for men of ability, permit freedom of press, speech  
9 and criticism of politics.

10 "(J) Abolition of irregular agents and  
11 measures to carry out a purge of government per-  
12 sonnel.

13 "As a result of the establishment of the  
14 aforementioned Restoration Government a number of  
15 local governments were then going to be created  
16 under its control because the public order main-  
17 tenance associations in all different places were  
18 to be dissolved. Thus, the provincial governments  
19 in Kiangsu Province, Chekiang Province and Anhui  
20 Province, and the Governor's Municipal Public  
21 Administration office of Nanking came into being  
22 on May 23rd, June 20th, July 23rd and April 24th  
23 respectively. While in Shanghai the Governor's  
24 Municipal Public Administration office of Shanghai  
25 was established on April 28th, taking over the whole

1 organization of the Tatao Government together with  
2 virtually a nominal change made in its formation.  
3 This Municipal Government discarded the name of  
4 'Tatao' and was specially put under direct control  
5 of the Administration Council.

6 "(Pages 1187 - 1189)

7 "Program for the direction of Central  
8 China administration. (This program covers the  
9 period until little after the establishment of the  
10 New Regime)

11 "(Provisionally decided on Jan. 27, 1938)

12 "I. General Principles.

13 "(1) They shall found a highly pro-  
14 Japanese regime, gradually free themselves from  
15 dependence on Europe and America, and establish  
16 the foundation of a district in China dependent  
17 on Japan.

18 "(2) The direction of that regime shall  
19 be so exercised that the regime, in the course of  
20 its future development shall smoothly amalgamate  
21 with the North China Regime. The direction shall  
22 stop at general inner direction by Japanese advisors.  
23 Detailed direction and interference in administration  
24 by appointing Japanese officials shall be avoided.

25 "(3) CHIANG Regime shall be annihilated.



1 At the same time, elimination of Communists and  
2 destruction of the Nationalist Party in a short  
3 time within the area under Japanese occupation  
4 shall be realized. Afterwards similar operations  
5 shall be speedily extended to neighbouring areas.

6 "II. Program for Direction.

7 "(4) In directing administrative affairs,  
8 emphasis shall be placed on the highest political  
9 organization, above all, the Legislative Department,  
10 and the domestic administration (chiefly peace  
11 maintenance), financial, industrial and educational  
12 sections of the Administrative Department, which  
13 is the executive organ. In and around SHANGHAI,  
14 special facilities shall be created, in order to  
15 establish the foundation for the economic develop-  
16 ment of Central China.

17 "(5) In directing Provincial Governments  
18 and lesser local governments, participation by  
19 Japanese advisors shall be avoided as much as  
20 possible, so that directions from upper admin-  
21 istrative organs shall be smoothly carried out.

22 "In areas under Japanese occupation,  
23 especially in war areas, easing people's minds  
24 and giving them employment shall speedily be  
25 realized.

1           "(6) The foundation of finance shall  
2       speedily be established, banking organs adjusted,  
3       and Japan-China economic collaboration in Central  
4       China realized. Measures for it are described  
5       in another program.

6           "(7) As for armaments, minimum army  
7       shall be trained for maintenance of peace and  
8       order, and make efforts, under the guidance of  
9       the Japanese army, to restore public order. But  
10      the navy and air force shall be included in the  
11      defense plan of Japan.

12          "(8) Throughout the whole areas, peace  
13      maintenance corps set-up belonging to administrative  
14      organs shall be strengthened. For this purpose,  
15      several Japanese police officers shall be appointed  
16      as instructors in order to establish police admin-  
17      istration.

18          "(9) Establishment of special schools  
19      to train model officials and promote cultural  
20      activities and the creation of a special lateral  
21      organ to promote political purge, shall be other-  
22      wise planned.

23          "(10) Local autonomous bodies shall be  
24      gradually abolished, as administrative organization  
25      is improved.

1                   "(11) The first-stage administrative area  
2 shall be the district under Japanese occupation.  
3 The area shall be successively extended.  
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1           "(Pages 1190 -- 1193)

2           "Program for the Establishment of Central  
3 China New Regime (in accordance with the program for  
4 the administrative direction)

5           "(Tentatively decided on Jan. 27, 1938)

6           "I. General Principles

7           "(1) Name of the New Regime shall be as  
8 follows:- Central China Provisional Government

9           "(2) Site of the Government shall be as  
10 follows:-

11           "For the time being: SHANGHAI

12           "In the future: NANKING

13           "(3) National Standard: -

14           "5 Colour Flag

15           "(4) Form of Government:-

16           "To be decided separately.

17           "(5) Declaration and Platform as described  
18 in a separate copy.

19           "(6) Organization of the New Regime:-

20           "As shown in the diagram.

21           "(7) The New Regime shall be speedily set  
22 up, and, by nurturing it, antagonistic influences  
23 shall be destroyed with physical and moral pressure.

24           "For this purpose, local autonomous bodies  
25 which are being set up successively in the areas under



1 Japanese occupation, shall be strengthened, and  
2 public sentiments desiring the establishment of a  
3 New Regime backed by Japan shall be powerfully stim-  
4 ulated. Moreover, in and around SHANGHAI, economic  
5 rehabilitation shall be speedily realized, thereby  
6 to contribute to the establishment of the New Regime  
7 set up.

8           "(8) Of the expenditures in the initial  
9 stage of the New Regime, considerable part shall be  
10 borne by Japan.

11           "(9) For the relief of war-sufferers,  
12 and rehabilitation of industries, emergency measures  
13 shall be speedily taken. Especially, agricultural  
14 produce shall be smoothly supplied to the market;  
15 and farmers shall take to spring farming without  
16 uneasiness.

17           "For this purpose, maintenance of local  
18 peace shall be undertaken by the Japanese Army to the  
19 best of their ability until the establishment of new  
20 local government organs.

21           "(10) Order of the establishment of the  
22 new administrative setup is as follows:

23           "1 Central Government setup, especially  
24 legislative and executive departments.

25           "2 SHANGHAI Special Municipality setup

1           "3 Provincial Governments setup

2           "4 Organization of county autonomous

3 bodies and downwards

4           "(11) In parallel with the execution of  
5 1 and 2, the influence of TSINGPAN and CHIH PAN shall  
6 be turned pro-Japanese, and made to assist the New  
7 Regime directly and indirectly.

8           "(12) In fixing new administrative dis-  
9 tricts, former ones shall generally be preserved.

10           "(13) In foreign settlements, with the  
11 strengthening of the New Regime, Japanese influence  
12 shall be gradually extended, and, after the estab-  
13 lishment of the New Regime, the organs of the old  
14 regime under the control of Japanese Army and Navy  
15 shall be taken over by the New Regime at proper  
16 opportunity, causing at the same time outstanding  
17 issues to be speedily settled.

18           "(14) TATAO Municipal Government,  
19 Citizens' Association, and other newly-born organs  
20 shall be co-ordinated into the new SHANGHAI Municipal  
21 Government setup.

22           "(15) Purely administrative organs of the  
23 Province and downwards shall be generally left as they  
24 are, but educational system and contents shall undergo  
25 wholesale revision, as separately planned".

1           If the Court please, the prosecution now  
2 desires to present its document No. 1584-A. This  
3 document is in two parts: (1) "Documents Concerning  
4 the Treaty between Japan and China"; the other is a  
5 "Statement of the Foreign Office Spokesman, on the  
6 Signing of the Sino-Japanese Basic Treaty, and the  
7 Japan-Manchoukuo-China Joint Declaration, Issued on  
8 November 30, 1940."

9           THE PRESIDENT: Admitted on the usual terms.

10          CLERK OF THE COURT: Prosecution's document  
11 No. 1584-A, to-wit, a copy of the "Tokyo Gazette,"  
12 January, 1941, will receive exhibit No. 464, and the  
13 excerpts therefrom, 464-A.

14                   (Whereupon, prosecution's exhibits  
15 No. 464 and No. 464-A were received in evidence.)

16          MR. HAUXHURST: For the information of the  
17 Tribunal, I would say that the first part of this  
18 document, "Documents Concerning the Treaty between  
19 Japan and China," covers all that appeared in exhibit  
20 No. 40, prosecution's document No. 190, which is the  
21 1940 treaty between Japan and China. In preparing  
22 this document we had in mind the order of the Court  
23 that the whole article in the "Tokyo Gazette" must be  
24 included; and as this was the first part of the  
25 article, we thought that it would save references



1 to exhibit No. 40 and we would have all of the  
2 information in this document as now introduced.

3 THE PRESIDENT: Do you propose to read all  
4 this or to give us only a well-considered selection?

5 MR. HAUXHURST: I am prepared, if the Court  
6 please, to give you selections from three or four  
7 paragraphs of the treaty and the protocol.

8 THE PRESIDENT: We will adjourn now until  
9 half-past one.

10 (Whereupon, at 1158 a recess was  
11 taken.)  
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## AFTERNOON SESSION

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3 The Tribunal met, pursuant to recess, at  
4 1330.

5 MARSHAL OF THE COURT: The International  
6 Military Tribunal for the Far East is now resumed.

7 THE PRESIDENT: Mr. Hauxhurst.

8 MR. HAUXHURST: May it please the Tribunal,  
9 I find that exhibit No. 40 was not read to the Court.  
10 at the time it was introduced, and I would like to  
11 read one article from the Treaty, Article 6, and  
12 Article 2 from the Joint Declaration of Manchukuo,  
13 China, and Manchuria.

14 (Reading): "ARTICLE 6

15 "The Governments of the two countries shall  
16 effect close economic cooperation between the two  
17 countries in conformance with the spirit of comple-  
18 menting each other and ministering to each other's  
19 needs, as well as in accordance with the principles of  
20 equality and reciprocity.

21 "With reference to specific resources in  
22 North China and Mengchiang, especially mineral re-  
23 sources required for national defense, the Government  
24 of the Republic of China undertake that they shall be  
25 developed through close cooperation of the two

1 countries. With reference to the development of  
2 specific resources in other areas which are required  
3 for national defense, the Government of the Republic  
4 of China shall afford necessary facilities to Japan  
5 and Japanese subjects.

6 "With regard to the utilization of the re-  
7 sources referred to in the preceding paragraph, while  
8 considering the requirements of China, the Govern-  
9 ment of the Republic of China, shall afford positive  
10 and full facilities to Japan and Japanese subjects.

11 "The Governments of the two countries shall  
12 take all the necessary measures to promote trade in  
13 general and to facilitate and rationalize the demand  
14 and supply of goods between the two countries. The  
15 Governments of the two countries shall extend spe-  
16 cially close cooperation with respect to the pro-  
17 motion of trade and commerce in the lower basin of  
18 the Yangtze River and the rationalization of the de-  
19 mand and supply of goods between Japan on the one  
20 hand and North China and Mengchiang on the other.

21 "The Government of Japan shall, with re-  
22 spect to the rehabilitation and development of in-  
23 dustries, finance, transportation and communication  
24 in China, extend necessary assistance and cooperation  
25 to China through consultation between the two countries."

1           And then paragraph 2 of the protocol on  
2 page 6:

3           (Reading) "Japan, Manchoukuo and China will  
4 respect mutually their sovereignty and territories.

5           "Japan, Manchoukuo and China will bring  
6 about general cooperation on a reciprocal basis  
7 among the three countries, especially a good neighborly  
8 friendship, common defence against communistic activi-  
9 ties and economic cooperation, and for that purpose  
10 will take all the necessary measures in every direc-  
11 tion."



1 MR. HAUXHURST (Continuing): In Part 2 of  
2 the document at the end of page 1, I would like to  
3 read the second statement, the second paragraph  
4 of the statement of the Foreign Office spokesman  
5 on the signing of the Sino-Japan Basic Treaty and  
6 the Japan-Manchukuo-China Joint Declaration issued  
7 on November 30, 1940.

8 (Reading): "Following the outbreak of the  
9 Sino-Japanese hostilities, and with the advance of  
10 Japanese forces, there sprang up societies for the  
11 maintenance of peace and order in various parts  
12 of China. These were gradually absorbed by and  
13 amalgamated with two regimes -- namely, the Provisional  
14 Government at Peking and the Reformed Government at  
15 Nanking, paving the way for the construction of a new  
16 China, until finally there appeared the Peace and  
17 National Salvation Movement under the leadership  
18 of Mr. Wang Ching-wei."

19 And then on page 2, the last two paragraphs.

20 (Reading): "In parallel and inseparable with  
21 the activities for the establishment of a Central  
22 Government, there progressed negotiations for the  
23 adjustment of Sino-Japanese relations. These negotia-  
24 tions made especially notable progress on the basis  
25 of the three principles of amity and neighbourliness,



1 common defence against the Comintern and economic  
2 cooperation, after the Sixth Plenary Session of  
3 the Kuomintang which was held at the end of August  
4 of 1939; and on December 30 an informal agreement  
5 on basic ideas regarding the adjustment of Sino-  
6 Japanese relations was reached at Shanghai between  
7 the negotiators of the two countries.

8 "Upon the establishment of the new Central  
9 Government on March 30 of this year, the Japanese  
10 Government appointed on April 1 General Nobuyuki  
11 ABE, Ambassador Extraordinary and Plenipotentiary,  
12 who arrived at Nanking on the 23rd of that month.  
13 After this, all preparations were completed with  
14 despatch for the restoration of Sino-Japanese rela-  
15 tions. On July 5 the first meeting of the formal  
16 conference took place, attended by Ambassador ABE  
17 and Mr. Wang as Acting President of the Republic of  
18 China. Mr. Wang on this occasion spoke of what China  
19 expected of the conference, while Ambassador ABE  
20 set forth the views of the Japanese Government  
21 relative to the negotiations that were to begin.  
22 Since then the negotiations were continued for almost  
23 two months. It was rather the zeal on both sides  
24 for the construction of the new order in East Asia  
25 than what may merely be termed mutual concession that

1 enabled the delegates of the two countries to solve  
2 the many complex and vexing problems. At the 15th  
3 session held on August 28 they agreed upon a draft  
4 treaty, which was initialled on August 31. Upon  
5 examination by the two Governments from the domestic  
6 standpoint of their respective countries, this draft  
7 treaty was found to require partial alterations.  
8 Accordingly in the latter part of September the  
9 negotiations were resumed for the necessary revision,  
10 on which an agreement of views was reached, and the  
11 treaty in its final form was initialled on October 10.

12 "On the other hand, with Manchoukuo that had  
13 always supported without reserve the cause of Sino-  
14 Japanese cooperation, negotiations were conducted  
15 concerning a Japan-Manchoukuo-China Joint Declara-  
16 tion. Early in November Mr. Wei Huan-chang, director  
17 of the Foreign Affairs Bureau of Manchoukuo arrived  
18 in Nanking, and the Declaration as published today  
19 was initialled on November 8 by the plenipotentiaries  
20 of the three countries. Meanwhile, Ambassador ABE,  
21 returning to Japan on October 27, met Prime Minister  
22 Prince KONOYE on October 29 to report on his mission.  
23 Following the Imperial Conference of November 13, the  
24 Treaty was submitted to the Privy Council, and approved  
25 at its full session of November 27. This in brief is

1 the hisotry of the Sino-Japanese Basic Treaty that  
2 was signed today at Nanking."  
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1 MR. HAUXHURST (Continuing): On behalf of  
2 the prosecution I would like to introduce its next  
3 document, No. 1453, to be introduced into evidence,  
4 a Secret Treaty, dated November 30, 1940.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document  
7 No. 1453 will receive exhibit No., 465.

8 (Whereupon, prosecution's exhibit  
9 No. 465 was received in evidence.)

10 MR. HAUXHURST: This consists of two secret  
11 annexed agreements and a letter from Wang Chao-Ming  
12 to His Excellency ABE, Ambassador of Japan. I would  
13 to read from A-1 three articles.

14 "Article I -- document A-1 --

15 "The Governments of the two countries have  
16 agreed that, in order to promote the common interests  
17 of both countries and to secure peace in East Asia,  
18 diplomacy based upon mutual concert shall be effec-  
19 tuated and that no measures, which are contrary to  
20 this principle, shall be taken on relations with  
21 other third countries.

22 "Article II

23 "The Government of the Republic of China  
24 shall comply to the Japanese demands regarding mili-  
25 tary necessities, in accordance with the agreements



1 that are to be decided hereafter between the two  
2 countries, concerning the railways, airways, com-  
3 munications, harbors and waterways located in areas  
4 stationed by Japanese troops and in the related areas  
5 thereof within the territorial jurisdiction of the  
6 Republic of China. However, the executive and ad-  
7 ministrative rights of the Republic of China shall  
8 be respected in ordinary times.

9 "The Government of the Republic of China  
10 agree to grant the aforementioned Japanese troops  
11 facilities necessary to station troops in accordance  
12 with the agreements that are to be decided hereafter  
13 between the two countries.

14 "Article III

15 "The governments of the two countries shall  
16 publicly announce, when found necessary, the whole or  
17 a part of the articles in this agreement upon con-  
18 sultation."

19 I shall read from Articles I, II, and III  
20 of Document A-2.

21 "In accordance with the stipulation in  
22 Article V of the treaty, Japanese vessels shall be  
23 permitted to freely enter into and anchor at the  
24 harbor areas within the territorial jurisdiction of  
25 the Republic of China in order that Japanese surface

1 units can be stationed along the Yangtze River banks  
2 and in the specified islands along the South China  
3 coast and connecting points thereof.

4 "Japan and the Republic of China have agreed  
5 that, in order to maintain the common interests of the  
6 two countries, it is considered necessary to maintain  
7 and safeguard the security of traffic lines in the  
8 China Sea and, in accordance with the agreements that  
9 are to be decided hereafter, between the two coun-  
10 tries based on Article V of the said treaty, that  
11 close military cooperation shall be effectuated on  
12 the specific islands along the South China coasts and  
13 connecting spots thereof.

14 "Article II.

15 "The Government of the Republic of China has  
16 agreed to cooperate intimately between the two coun-  
17 tries in planning development and production of special  
18 resources, especially strategic resources necessary  
19 for national defense in Amoy, Hainan Island and the  
20 adjoining islands thereof. In regard to the utiliza-  
21 tion of these resources, the Government of the Republic  
22 of China shall, after giving consideration to her needs,  
23 positively and adequately facilitate Japan and the  
24 Japanese people, especially in replenishing the  
25 strategic demands of Japan.

"Article III.

"The governments of the two countries shall publicly announce this agreement upon consultation, when general peace has been restored between the two countries or at some appropriate time previous to the restoration of peace."

1 MR. HAUXHURST (Continuing): The next  
2 document I would like to read is 1453-C, and is  
3 addressed to his Excellency ABE by Wang Chao-Ming.

4 THE PRESIDENT: Admitted as before.

5 CLERK OF THE COURT: Prosecution's docu-  
6 ment 1453-C will receive exhibit No. 465-A.

7 (Whereupon prosecution's exhibit  
8 No. 465-A was received in evidence.)

9 (Reading): "Monsieur l'Ambassadeur,  
10 I have the honor to inform you that on signing the  
11 Treaty relating to the Basic Relations between Japan  
12 and China, an agreement was reached between Your  
13 Excellency and myself, with reference to the stipu-  
14 lations of Article 1 of the Supplementary Protocol  
15 of the said Treaty, that during the period in which  
16 Japan continues in the territories of the Republic of  
17 China the warlike operations she is now carrying on,  
18 the government of the Republic of China will positive-  
19 ly cooperate toward the full attainment of the purposes  
20 of the said warlike operations of Japan.

21 "I wish that Your Excellency will confirm  
22 the above-mentioned understanding."

23 The prosecution would next like to introduce  
24 into evidence its document No. 1451-A, B, D and E.  
25 This is the Sino-Japanese treaty that was made



1      October 30, 1943.

2                    THE PRESIDENT: Admitted as before.

3                    CLERK OF THE COURT: Prosecution's  
4      document 1451-A, B, D and E will receive exhibit  
5      No. 466.

6                    (Whereupon prosecution's exhibit  
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1 No 466 was received in evidence.)

2 MR. HAUXHURST: These are the original  
3 treaties which are in the document and there are  
4 also the original letters passing between the  
5 Minister and the representatives of the government.  
6 For the purpose of saving time of the Court, I have  
7 added to this document an official announcement by  
8 the Board of Information on October 30, and also  
9 a statement of the Japanese Government regarding  
10 the conclusion of the Pact of Alliance between  
11 Japan and the Republic of China under date of  
12 October 30, 1943. The summary, as outlined in the  
13 statement of the Japanese Government satisfactorily,  
14 from our point of view, analyzes and states the  
15 purposes of the treaty and will thereby save time.

16 (Reading): "1451A. ANNOUNCEMENT OF THE  
17 BOARD OF INFORMATION REGARDING THE CONCLUSION OF A  
18 PACT OF ALLIANCE BETWEEN JAPAN AND THE REPUBLIC OF  
19 CHINA, October 30, 1943.

20 "The Governments of Japan and China have  
21 been negotiating with a view to concluding a Pact of  
22 Alliance between the two countries and a complete  
23 agreement having been reached on the draft of the  
24 treaty, His Excellency Masayuki TANI, Japanese  
25 Ambassador Extraordinary and Plenipotentiary, and His

1 Excellency Wang Ching-wei, President of the Executive  
2 Yuan of the Republic of China, signed and sealed the  
3 treaty at Nanking on October 30."

4 "1451B, STATEMENT OF THE JAPANESE GOVERN-  
5 MENT REGARDING THE CONCLUSION OF A PACT OF ALLIANCE  
6 BETWEEN JAPAN AND THE REPUBLIC OF CHINA", dated  
7 "October 30, 1943."

8 "The Japanese Government have today con-  
9 cluded with the Government of the Republic of China  
10 the 'Pact of Alliance between Japan and the Republic  
11 of China.' As a result of the conclusion of this  
12 Pact, the Treaty Relating to the Basic Affairs be-  
13 tween Japan and China and the Documents attached  
14 thereto have lost their validity and, at the same  
15 time, the treaty relations between the two countries  
16 have entered upon a period of epochal development.

17 "The Japanese Government previously made  
18 clear, in their statement of January 9 of this year,  
19 their convictions regarding Japan's policy toward  
20 China to meet the new situation following the out-  
21 break of the War of Greater East Asia. Since that  
22 time, Japan has steadily translated into action what  
23 was publicly declared in that statement and thereby  
24 extended her utmost aid toward the speedy establish-  
25 ment of a new China on the basis of self-asserting

1 independence and manifestation of the political power  
2 of the National Government, and the latter also, in  
3 concert with Japan, have taken measures to reinforce  
4 themselves and strengthened their co-operation for  
5 the prosecution of the war, resulting in the smooth  
6 and satisfactory development of the new relations  
7 between the two countries.

8 "With the outbreak of the War of Greater  
9 East Asia, the situation in this part of the world  
10 has undergone a radical change. Before the War, the  
11 aggressive activities of the United States and Great  
12 Britain were rampant and consequently Japan was placed  
13 in a position where she could not ignore the realities  
14 of this situation in determining her treaty relations  
15 with China. But after the war broke out, the influence  
16 of the United States and Great Britain has been com-  
17 pletely expelled and the National Government have also  
18 declared war against those countries. As a result,  
19 Japan and China have come to deem it appropriate to  
20 readjust their treaty relations to conform with the  
21 new situation in order that they may, untrammelled by  
22 all past circumstances, revert to their normal and  
23 proper status as good neighbors and accomplish their  
24 common mission of collaborating to stabilize Greater  
25 East Asia and promote its renaissance and prosperity.



1 This indeed is the reason why the new Pact has been  
2 concluded.

3 "Japan has already secured with Manchoukuo,  
4 Thailand, Burma and the Philippines close co-operative  
5 relations based on justice and has now firmly estab-  
6 lished with the Republic of China a new foundation  
7 for their cooperation. Thus, the order to assure the  
8 common prosperity and well-being of all countries in  
9 Greater East Asia is steadily being realized.

10 "The Japanese Government, confidently ex-  
11 pecting an epochal progress of Japanese-Chinese  
12 relations in conformance with the spirit of the new  
13 Pact and, at the same time, being unstinting in  
14 extending every possible assistance for the complete  
15 realization of China's self-asserting independence, and  
16 expecting that Japan and China will together in close  
17 co-operation march vigorously forward toward the  
18 successful prosecution of the present war and the  
19 establishment of a new order in Greater East Asia,  
20 hereby make known their convictions both at home and  
21 abroad."

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1 MR. HAUXHURST: The next document which the  
2 prosecution wishes to introduce into evidence is its  
3 document No. 2177. This document was prepared as a  
4 result of a SCAP directive and covers exports and im-  
5 ports between Japan and Manchukuo, the Kwantung Penin-  
6 sula and China. Those are the three that are in-  
7 cluded in this document. These tables have been pre-  
8 pared to include not only the Kwantung Peninsula,  
9 Manchukuo and China, but also the Philippines, Indo-  
10 China, and other countries to the south. They run  
11 from 1932 to 1946.

12 Without taking the time to go through these  
13 figures, I would call the Court's attention to page  
14 4, showing the imports into Japan of iron ore and also  
15 salt. In explaining the document I overlooked offer-  
16 ing it in evidence, if the Court please, which I now  
17 do.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document  
20 No. 2177 will receive exhibit No. 467.

21 (Whereupon, the document above re-  
22 ferred to was marked prosecution's exhibit No.  
23 467 and was received in evidence.)

24 THE PRESIDENT: But for the figures, which  
25 is in Japanese.

1 MR. HAUXHURST: If the Court please, it is  
2 both; the first page is in English and the second page  
3 is in Japanese.

4 THE PRESIDENT: You draw attention to No. 4,  
5 is that so?

6 MR. HAUXHURST: Yes, sir. Page 4 of the im-  
7 ports, so far as China and Manchukuo are concerned.  
8 They will be two separate documents, but each of them  
9 are page 4.

10 THE PRESIDENT: The particular items are salt,  
11 and what is the other one?

12 MR. HAUXHURST: Salt and iron ore and coal.

13 THE PRESIDENT: Well, you had better tell us  
14 what the result is over the years.

15 MR. HAUXHURST: We have considered this  
16 document a matter for reference only, but it does  
17 show, for instance, on page 4, imported into China -

18 THE PRESIDENT: It is headed "Import, Man-  
19 chukuo."

20 MR. HAUXHURST: Well, then, towards the end  
21 of the document is the China import and export; on page  
22 4 under "salt" the imports into Japan from China in  
23 1931 in yen value 1,960,000, whereas in 1945 the im-  
24 ports are 167,501,000 yen. In the case of coal on  
25 the same page in 1931 3,902,000 yen in value was

1 imported, whereas in 1943 145,430,000 yen of coal  
2 was imported.

3 THE PRESIDENT: Yes?

4 MR. HAUXHURST: The document was introduced  
5 to show those comparisons and it is true of coal and  
6 iron and manufactured machinery which was exported from  
7 Japan to Manchuria. In the case of iron ore from  
8 China in 1931, 4,180,000 yen in value was imported as  
9 against 95,930,000 yen in value.

10 The prosecution now desires to introduce  
11 into evidence document 2470. This document is a  
12 further summary of exports and imports, and it is  
13 introduced at this time to have reference to the last  
14 page of the document, page 10.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document  
17 No. 2470 will receive exhibit No. 468.

18 (Whereupon, the document above re-  
19 ferred to was marked prosecution's exhibit No.  
20 468 and was received in evidence.)

21 MR. HAUXHURST: On page 10 of the document is  
22 Manchukuo, importation of heavy construction material,  
23 1932 to 1943; unit one thousand yen. I call the  
24 Tribunal's attention to the column under 1932 as  
25 compared with the column 1938, which shows the



1 increase in the value in the yen of heavy construc-  
2 tion material. On the total figures in 1932,  
3 34,726,000 in yuan value was imported into Manchukuo,  
4 In 1938, the last year as you will see that apparently  
5 any figures were available, it was 365,076,000 yuan.

6 MR. BROOKS: Mr. President.

7 THE PRESIDENT: Captain Brooks.

8 MR. BROOKS: I would like to object to the  
9 immateriality of this type of evidence that is going  
10 in. I can't see what the prosecution is intending to  
11 show in setting out this figure. Instead of robbing  
12 this country it looks like they are giving them a  
13 lot of materials, and so forth. In carrying out  
14 their offer of assistance, as stated in a lot of these  
15 documents that they have put in, I am quite at a loss  
16 to see the materiality from the prosecution's stand-  
17 point in this case. I object to it for that reason.

18 THE PRESIDENT: It is quite material to show  
19 the extent to which Japan batted on the resources  
20 of China and the results of the alleged aggressive  
21 war. The objection is overruled.

22 MR. HAUXHURST: The prosecution now desires  
23 to introduce into evidence its document No. 2298.  
24 This is introduced to show the paid up capital, de-  
25 benture issues, investments and loans of the North

1 and Central China Development Company.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution's document  
4 No. 2298 will receive exhibit No. 469.

5 (Whereupon, the document above re-  
6 ferred to was marked prosecution's exhibit No.  
7 469 and was received in evidence.)

8 MR. HAUXHURST: I call the Tribunal's at-  
9 tention to the last line on the first table on page  
10 2, which show as of March 31, 1945, paid up capital  
11 so far as the Central China Company is concerned of  
12 110,864,946 yen, debentures issued 352,600,000; in-  
13 vestments 144,061,390 yen, on loans 4,827,651,860  
14 yen. In the case of the North China Development  
15 Company the figures are shown in the last line with-  
16 out necessarily repeating them.

17 THE PRESIDENT: Are they loans to or by  
18 the company?

19 MR. HAUXHURST: By the company. It was in-  
20 debtedness to the company.

21 THE PRESIDENT: Are you sure?

22 MR. HAUXHURST: Investments and loans by the -  
23 they were asked to compile from the annual reports  
24 of the Central China Development Company, showing  
25 paid up capital, debentures issued, investments and

1 loans; that is, loans of the company for the years  
2 ended December 31, 1938, 1939, 1940, and March 31,  
3 1941. That appears in the certificate on the first  
4 page.

5 If the Court please, we now desire to  
6 present into evidence prosecution's document No.  
7 2299, which is a document to show the interest of the  
8 Japanese Government in the South Manchurian Railway,  
9 Central China Development Company, North China Dev-  
10 elopment Company, Manchurian Heavy Industry Company.

11 THE PRESIDENT: Admitted as before.

12 CLERK OF THE COURT: Prosecution's document  
13 No. 2299 will receive exhibit No. 470.

14 (Whereupon, the document above referred  
15 to was marked prosecutions exhibit No. 470  
16 and was received in evidence.)

17 MR. HAUXHURST: On page 1 of the document  
18 is the Government investment in stock shares of the  
19 South Manchurian Railway Company, Limited, to 22 June  
20 1946, and shows that out of a capital of 1,400,000,000  
21 the Japanese Government owned 700,000,000 of yen, and  
22 that the Japanese Government owns 50,000,000 yen.

23 THE PRESIDENT: You mean the Manchukuo  
24 Government owns 50,000,000.

25 MR. HAUXHURST: So that the Japanese



1 Government, as is shown in the fourth column, owns  
2 50 per cent of the capital of the South Manchurian  
3 Railroad, in addition to the 50,000,000 yen that  
4 the Manchukuoan Government owns. On page 2 of the  
5 document is a statement of the subsidiaries of the  
6 South Manchurian Railway Company, showing the per-  
7 centage that they own in the various companies and  
8 when they were organized. The Court's attention is  
9 called to the extensive industries in matters that  
10 are included in these investments, as is shown by  
11 the names of the companies.

12 Turning to page 3 at the bottom of the  
13 page is shown the Government investments in stock  
14 shares of the Central China Development Company,  
15 Limited, and that the Japanese Government owns  
16 98,424,250 yen in value, or 88.9 per cent of the  
17 company.  
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1           The next page shows the names of the compa-  
2 nies in which the Central China Development Company  
3 and its subsidiaries, and shows the percentage of  
4 ownership; **and also** attention is called to the varied  
5 industries that are named in the companies.

6           On the next page is the government invest-  
7 ment in stock shares of the North China Development  
8 Company, Ltd., as of 22 June 1946, and shows the  
9 Japanese Government owns 254,250,000 yen of its capital,  
10 or 81.6 per cent.

11           Then follows three pages with the names of  
12 the companies of -- of the subsidiaries of the North  
13 China Development Company; and in the left-hand column  
14 the Court will find that there is indicated the per-  
15 centage of ownership in each bloc. of named companies.

16           On page 9 is the same information in reference  
17 to the Manchuria Heavy Industry Development Company,  
18 Ltd. As of 22 June 1946 the Japanese Government had  
19 no investment in that company. But in the right-hand  
20 column in the third box it is shown that as of  
21 March 31, 1945, the Manchukuo Government owned  
22 225,000,000 yen out of the capital of that company.  
23 And then follows a similar list as to the subsidiary  
24 companies, showing the percentage of ownership.

25           The next document the prosecution wishes to

1 introduce into evidence is document No. 2471-A. This  
2 is the last document that the prosecution will present  
3 in this phase of the case.

4 THE PRESIDENT: What is it?

5 It shows Japanese investment in Manchuria and  
6 China proper.

7 MR. HAUXHURST: Yes, sir.

8 THE PRESIDENT: Admitted on the usual terms.

9 DEPUTY CLERK OF THE COURT: Prosecution's  
10 document No. 2471-A will receive exhibit No. 471.

11 (Whereupon, the document above  
12 referred to was marked prosecution's exhibit  
13 No. 471, and was received in evidence.)

14 THE PRESIDENT: Captain Brooks.

15 MR. BROOKS: Mr. President, if the Court please,  
16 on exhibit 470 we just noticed on page 8, section (e),  
17 the statement: "As the exact figures are not avail-  
18 able, the figures given above are not guaranteed."  
19 You will find it at the last paragraph in there. I  
20 think it would have quite a bit of weight.

21 MR. HAUXHURST: If the Court please, this  
22 document was issued to us as a result of a SCAP direc-  
23 tive to be made from the figures of the Japanese Govern-  
24 ment, and are probably the only available figures as a  
25 result of the records some of which have been destroyed

1 by bombing.

2 THE PRESIDENT: I was just wondering how far  
3 that extends.

4 MR. HAUXHURST: Beg pardon?

5 THE PRESIDENT: Does the note extend to the  
6 whole document?

7 MR. HAUXHURST: No, it does not.

8 THE PRESIDENT: I note the certificate that  
9 it is a true and correct copy of the company's origi-  
10 nal document.

11 That note would appear to be confined to the  
12 North China Development Company.

13 MR. HAUXHURST: Yes.

14 THE PRESIDENT: However, we will take note  
15 of what Captain Brooks pointed out.

16 MR. HAUXHURST: Yes, sir. It should also  
17 be noted, too, that on page 7 in reference to the  
18 419 business companies which have reported: "It is,  
19 however, thought that there is still a considerable  
20 amount of investments which have not yet been reported."

21 THE PRESIDENT: For our purposes it is not  
22 necessary to have the figures to the last ounce and  
23 the last cent.

24 Better continue with exhibit 471.

25 MR. HAUXHURST: On page 2 is the investment



1 in Manchukuo of the Japanese Government, showing a  
2 total of 138,750,000 yen in the companies named.

3 On page 3 of the document is the investment  
4 in China of the Japanese Government. It shows that  
5 in 1938 the amount was 55,570,000 yen, and the Central  
6 China Development Company 18,882,000 yen or a total of  
7 74,452,000 yen. These are summarized fairly well on  
8 page 5 of the document in the table, "Total Amount of  
9 Investments in Manchuria as classified by Enterprises,"  
10 and shows the investment by the Japanese Government of  
11 1,346,651,800 yen; by private concerns, 16,800,000,000;  
12 a total of 18,187,000,000 yen.

13 And on the final page 7, it shows that four  
14 out of -- 419 business firms had invested in China  
15 over 298,378,000,000 yen, an increase over the amount  
16 invested in 1938 which was 1,835,573 yen; so that over  
17 297,000,000,000 yen were invested in China during the  
18 seven years 1938 to 1945.

19 THE PRESIDENT: We will recess now for fif-  
20 teen minutes.

21 (Whereupon, at 1445, a recess was  
22 taken until 1500, after which the proceedings  
23 were resumed as follows:)  
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1 MARSHAL OF THE COURT: The Tribunal is now  
2 resumed.

3 MR. HAUXHURST: May it please the Tribunal,  
4 in the last figure that I gave, I understand I said  
5 "billion" instead of "million" of yen. I said "the  
6 investment of 419 enterprises in China." It should  
7 be "two hundred ninety-eight million, three hundred  
8 seventy-eight thousand, five hundred ninety-seven  
9 yen." (sic)

10 THE PRESIDENT: You ought to endeavor to  
11 enlighten the Court on the source of those immense  
12 loans the company is said to have made according to  
13 you, Mr. Hauxhurst.

14 MR. HAUXHURST: I do not have the details  
15 of that, if the Court please, other than appears in  
16 these documents. Otherwise, the prosecution has no  
17 further evidence to introduce on this phase of the  
18 case at this time.

19 THE PRESIDENT: You should be able to clarify  
20 a matter of that importance. We will ask for assist-  
21 ance. I am referring now to page 2, exhibit 469.  
22 There is a figure there on the loans: "4,827,651,860."  
23 We surely are entitled to enlightenment on the source  
24 of such loans as that which you say were made by the  
25 company. They are out of all proportion to the other

1 figures disclosed in that particular exhibit or in  
2 any other exhibit that we can recall. They may repre-  
3 sent operations by these companies on the compulsory  
4 savings of the people of which we heard something  
5 earlier, but we are not entitled to guess.

6 MR. HAUXHURST: If the Court please, this  
7 document 2298 which you are referring to, showing  
8 loans of the Central China Development Company of  
9 four billion, eight hundred seventy-six million,  
10 six hundred fifty-one thousand, eight hundred sixty  
11 dollars in the case of the Central China Development  
12 Company, and in the case of the North China Develop-  
13 ment Company of two billion, eight hundred seventeen,  
14 three hundred twelve thousand (sic) yen, was made up  
15 from eight reports -- annual reports of each of those  
16 companies by Mr. Chiu of this -- my associate, from  
17 the only reports that we were able to get. They were  
18 returned to the Department, after they had been made up,  
19 together with a statement, and this statement here  
20 represents a correction -- the corrected statement  
21 that was prepared by the Department under this certif-  
22 icate.

23 THE PRESIDENT: And we still want to know  
24 where the monies for these loans came from.

25 MR. HAUXHURST: This application was made to

1 the Chairman of the Committee of Conservatories for  
2 the closed institutions who furnished us the annual  
3 statements, eight in one case and eight in the other,  
4 the case of the Central China Development Company;  
5 and those were taken from those statements, and those  
6 statements did not show the source of the loan.

7 THE PRESIDENT: You will get us the Central  
8 China Development Company's balance sheet for the  
9 year 1945.

10 MR. HAUXHURST: I would like the opportunity  
11 to go to the Conservatory and secure the information  
12 that the Court wishes. This is a summary which was  
13 prepared and which he certified to after correcting  
14 the figures.

15 THE PRESIDENT: You understand, the Court is  
16 not prepared to guess, and the source of those monies,  
17 on the evidence as it stands, involves a guess. You  
18 can act on that.

19 MR. HAUXHURST: Yes, sir. We will act on  
20 the suggestion that your Honor has made.

21 MR. KEENAN: Mr. President, we ask the per-  
22 mission of the Court to present a witness out of  
23 order, out of the usual category, because of his re-  
24 quirement in his home base and his utter inability to  
25 remain at this time. So, I shall ask Mr. Comyns Carr,



WILD

DIRECT

1 Associate Prosecutor from the United Kingdom, to  
2 present this witness at this time.

3 MR. COMYNS CARR: May it please the Tri-  
4 bunal, I now propose to call Colonel Wild. He is  
5 the witness with regard to whom I made an application  
6 to the Tribunal some days ago.

7 I propose to examine him from the proof of  
8 which we have supplied copies to the defending  
9 counsel. Then I propose to put in certain documents,  
10 one of which is rather a lengthy one, and then to ask  
11 the witness certain further questions arising out of  
12 those documents.

13 - - -

14 C Y R I L H E W D A L R Y M P L E W I L D,  
15 Colonel, British Army, called as a witness on  
16 behalf of the prosecution, being first duly  
17 sworn, testified as follows:

18 DIRECT EXAMINATION

19 BY MR. COMYNS CARR:

20 Q Your name is Cyril Hew Dalrymple Wild, and  
21 you are a Colonel in the British Army and, at the  
22 present time, War Crimes Liaison Officer with the  
23 Allied Land Forces in Southeast Asia.

24 Between the years 1931 and 1940, were you  
25 resident in Japan?



WILD

DIRECT

1 A I was.

2 Q During that time, did you study the Japan-  
3 ese language, and do you speak it pretty well?

4 A Yes, I do.

5 Q In 1940, did you return to England and  
6 rejoin your old regiment?

7 A Yes, I did.

8 Q And in 1941, were you in Malaya as a staff  
9 officer, first of all G.S.O.3 and then G.S.O.2 with  
10 the 3rd Indian Corps?

11 A Yes, I became G.S.O.2 in 1942.

12 Q On the night of the 7th to 8th December,  
13 1941, were you on duty in the Operations Room of the  
14 headquarters of the 3rd Indian Corps at Kuala Lumpur?

15 A Yes, I was.

16 MR. COMYNS CARR: Let the witness be pro-  
17 vided with a pointer, a stick, with which he can  
18 indicate certain places on this map (indicating map  
19 of 1941 on the panel over the accused's dock).

20 THE PRESIDENT: He will have to invade the  
21 accused's province unless it is a very long stick.

22 MR. COMYNS CARR: I don't wish to detain the  
23 Court, so I will try to go on without it.

24 (Whereupon, a long stick was  
25 brought into the Courtroom.)

WILD

DIRECT

1 MR. COMYNS CARR: (Continuing) Let the  
2 witness come forward and indicate on the map certain  
3 places about which he is going to speak.

4 THE PRESIDENT: You may go forward, Mr.  
5 Witness,

6 (Whereupon, the witness left the  
7 witness box, was handed the long stick, and  
8 approached the accused's dock under the map  
9 of 1941.)

10 BY MR. COMYNS CARR: (Continuing)

11 Q First of all, please show us the boundary  
12 between Malaya and Siam.

13 A The other map would be better (indicating  
14 map of 1938 over the other end of accused's dock).

15 (Whereupon, the witness walked to  
16 the map of 1938 and indicated.)

17 Q Now, immediately to the south of that  
18 boundary and on the east side of Malaya, is there a  
19 place called Kota Bahru?

20 A Yes, there is (indicating).

21 Q That is in Malaya?

22 A In Malaya.

23 Q That is Malaya.

24 Immediately to the north of it, also on the  
25 same side but in Siam, are there two places called

WILD

DIRECT

1 Singora and Patani?

2 A Singora (indicating; Patani (indicating).

3 Q Thank you. Will you return to the witness  
4 box, please, and return your stick.

5 (Whereupon, the witness returned  
6 the long stick and returned to the witness  
7 box.)

8 Q (Continuing) Shortly after midnight on  
9 that night, 7th to 8th December, did you receive a  
10 signal from the 8th Indian Brigade at Kota Bahru  
11 that ships had been sighted off the coast some half  
12 hour earlier?

13 A Yes, I did.

14 Q And at 0030 hours on the 8th of December,  
15 half an hour after midnight, did you receive another  
16 signal that the enemy were landing and that the  
17 defenses had gone into action?

18 A Yes. I cannot be positive as to the time,  
19 but my recollection is that the signal was dated  
20 approximately 0030 hours.

21 Q Did you immediately report by telephone to  
22 headquarters at Singapore?

23 A Yes, we were in communication with them  
24 immediately.

25 Q Did you ascertain whether they had any



WILD

DIRECT

1 information of any declaration of war?

2 A Yes, that was ascertained.

3 Q Had they any such information?

4 A No, they had not.

5 Q A few hours later, did you learn anything  
6 about Japanese landings at the two places you have  
7 shown us on the map, Singora and Patani in Siam?

8 A Yes, I heard my co-commander mentioning  
9 this at a conference as I returned to the Operations  
10 Room.

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1 Q Did you discover approximately when those  
2 landings had taken place?

3 A It was understood that they had taken place  
4 within an hour or so of the original landing at  
5 Kota Bahru.

6 Q On the same day, the 8th of December, did  
7 you discover from air reconnaissance anything as to  
8 the positions of the Japanese at those points?

9 A Yes, aerial photographs showed that ships  
10 were unloading at Singora and Patani and the airdrome  
11 at Singora was under occupation by the Japanese air  
12 force.

13 Q Did the Japanese advance from those points  
14 in Siam?

15 A Yes, they crossed the border into Malaya  
16 from Singora at Pedang Besar and from Patani they  
17 crossed the border into Malaya at Kroh.

18 Q If it had not been for the Siamese border,  
19 would it have been an advantage or otherwise for the  
20 British troops to cross and establish defenses on the  
21 Siamese side?

22 MR. LOGAN: I should like to object to that,  
23 if the Tribunal please, on the ground it is speculative.

24 MR. COMYNS CARR: Does the Tribunal allow the  
25 question?

WILD

DIRECT

1 THE PRESIDENT: Would you like to argue it,  
2 Mr. Comyns Carr?

3 MR. COMYNS CARR: In my submission, these  
4 questions are directed to the fact that the Japanese  
5 violated the neutrality of Siam in order to put them-  
6 selves into a better position for attacking Malaya.

7 THE PRESIDENT: As an expert, no doubt he  
8 could give that evidence if it is relevant to any  
9 issue; but what issue would it go to here?

10 MR. COMYNS CARR: To the issue in my sub-  
11 mission of aggressive warfare.

12 THE PRESIDENT: Is that the issue upon  
13 which he is testifying?

14 MR. COMYNS CARR: At this point, yes, sir.

15 THE PRESIDENT: Yes. Objection overruled.

16 Q You remember the question, Colonel Wild?

17 A Yes, I do. It was the opinion of the Corps  
18 and the Malaya Command that it would be greatly to  
19 our advantage if we held the landing places at  
20 Singora and Patani before the Japanese attacked;  
21 but we were forbidden to cross the border prior to a  
22 Japanese attack because this would have been a  
23 violation of Siamese neutrality.

24 MR. COMYNS CARR: Down to that point, if  
25 it please the Tribunal, the witness has been giving

WILD

DIRECT

1 evidence which will be relevant to Part Nine of  
2 Appendix A, that is, the attack on the United Kingdom  
3 and British Empire. The rest of his evidence will  
4 be concerned entirely with Appendix D, that is,  
5 prisoners of war.

6 Q On the 15th February, 1942, were you  
7 serving in the staff of the 3d Indian Corps in  
8 Singapore?

9 A Yes, I was.

10 Q And at about seventeen hours on that day  
11 did you go with Lieutenant General Percival and other  
12 officers to the surrender and become a prisoner of  
13 war?

14 A Yes, I did.

15 Q Were you acting as Lieutenant General  
16 Percival's interpreter?

17 A Yes, I was.

18 Q Did General YAMASHITA receive the surrender?

19 A Yes.

20 Q And was Lieutenant Colonel SUGITA with him?

21 A Yes, he received the surrender which was to  
22 become effective a few hours later and Colonel SUGITA  
23 was with him.

24 Q After it had been signed did you with  
25 Lieutenant General Percival's permission make a



WILD

DIRECT

1 request to General YAMASHITA?

2 A Yes, I did.

3 Q What was it and what was his answer?

4 A In the name of General Percival I requested  
5 General YAMASHITA in the spirit of Bushido to protect  
6 the women and children who were still in Singapore.  
7 General YAMASHITA vowed across the table to General  
8 Percival and said he would do so.

9 Q About how many European nationals were there  
10 left in Singapore at the time of the surrender --  
11 civilian?

12 A Over 3,500.

13 Q Of how many nations?

14 A Of over twenty nations.

15 Q Previously had there been attempts to  
16 evacuate them by sea?

17 A Yes, there had been and over forty ships  
18 had been sunk with the loss of many thousand lives.

19 Q Did the 3,500 include women and children?

20 A Yes, a large number of women and children.

21 Q What happened to them?

22 A They were placed inside Changi Prison.

23 Q How many people was that built to accommodate?

24 A It was built to accommodate seven hundred  
25 convicts.



WILD

DIRECT

1 Q And how long did the 3,500 have to remain  
2 there?

3 A Until April, 1944, that is, two and a quarter  
4 years, when they were transferred to Sime Road Camp  
5 in Singapore.

6 Q Where were the military personnel prisoners  
7 of war placed?

8 A The British and Australian prisoners of war  
9 were marched out to Changi on the east of Singapore  
10 Island where they were accommodated in former military  
11 barracks.

12 Q What happened to the Indian troops?

13 A The Indian troops were taken away from  
14 their British officers who wanted to remain with  
15 them and were collected in Farrar Park in Singapore.  
16 In Farrar Park they were harangued by the Japanese  
17 to try and induce them to join the so-called Indian  
18 National Army.

19 Q Did many do so at that time?

20 A At that time, very few.

21 Q What happened to those who did join?

22 A They were put into reasonably good camps  
23 and given preferential treatment as regards rations,  
24 uniform, and so on.

25 Q And how were they employed?

WILD

DIRECT

1 A Those were drilled and trained to become  
2 soldiers in the Indian National Army.

3 Q Did they have anything to do in connection  
4 with the British prisoners of war?

5 A Some of them were employed by the Japanese  
6 as guards over British prisoners of war.

7 Q What happened to those Indian soldiers who  
8 refused to join?

9 A They were put into crowded labor camps,  
10 mainly on Singapore Island, where they were subjected  
11 to a long course of calculated ill treatment. The  
12 loyal Indian officers were taken away from them and  
13 particularly ill treated, and the others were lectured  
14 continually about the advantages of joining the Indian  
15 National Army, and many of them were severely beaten  
16 up.

17 Q How did they get on for food?

18 A They were kept on very short rations.

19 Q Were you yourself appointed as liaison  
20 officer between General Percival and the Japanese?

21 A Yes, I was.

22 Q And was the Japanese officer with whom you  
23 had to deal, Lieutenant Colonel SUGITA?

24 A Yes, he was.

25 Q Did that position enable you to travel around

WILD

DIRECT

1 in Singapore more than you could otherwise have  
2 done and to see more?

3 A Yes, for one week I was able to go quite  
4 freely around Singapore in uniform wearing an armband  
5 and having a pass on my car with the Japanese char-  
6 acters "RENRAKU SHOKO," liaison officer.

7 Q Were there in Singapore a large number of  
8 Chinese?

9 A Yes, a very large number.

10 Q Were many of them British subjects having  
11 been born there?

12 A Probably the majority were British subjects.

13 Q During that week did you see anything that  
14 was happening to the Chinese inhabitants of Singapore?

15 A Yes, in two areas of Chinatown I saw the  
16 Japanese cordoning off the area with light tanks and  
17 troops. All the male Chinese were being collected  
18 together in hundreds in these places and were being  
19 separated from the women and the children. I noticed  
20 the Chinese looked extremely apprehensive and many  
21 of the women were crying.

22 Q On the 22d of February did you go with  
23 Brigadier Newbiggin to see Lieutenant Colonel SUGITA  
24 at the Changi Conference House?

25 A Yes, I did.



WILD

DIRECT

1           THE PRESIDENT: This is a convenient break,  
2 I think, Mr. Comyns Carr. We will adjourn now until  
3 half-past nine tomorrow morning.

4           (Whereupon, at 1600, an adjournment  
5 was taken until Wednesday, 11 September, 1946,  
6 at 0930.)

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<u>Page</u>	<u>Line</u>	<u>Correction</u>
5355	8	<u>Corps</u> Commander
5356	7	<u>bowed</u>
5366	18	<u>for</u> inside East Asia <u>read</u> in South East Asia
5370	8	investigating <u>for</u> the last year
5372	15	<u>for</u> a quarter <u>read</u> three quarter
5382	16	<u>for</u> term <u>read</u> tone
5402	11/12	that <u>as</u> it contained none except wounded the Japanese etc., (i.e. <u>insert</u> 'as' <u>cancel</u> 'and')
5417	7	<u>for</u> August <u>read</u> <u>April</u>
5425	6	<u>for</u> Frazier <u>read</u> Frazer
5426	1	<u>for</u> cared <u>read</u> appeared
5443	13	<u>for</u> sides <u>read</u> south
5452	17	<u>for</u> you are <u>read</u> we were
5453	20	<u>for</u> kilomarks <u>read</u> kilo-mark
5453	22	<u>for</u> miles <u>read</u> mark
5454	1	<u>for</u> speaking of <u>read</u> speaking as
5454	7	<u>for</u> Combat <u>read</u> Cumbered
5454	7	cancel last ' <u>with</u> '
5454	20	<u>for</u> Tarsoa <u>read</u> Tarso
5454	20	<u>comma</u> after truck
5464	2	reasonably
5465	17/18	Comma after first Niki    Songkrai
5473	5	a new suit - <u>an issue</u>
5479	8	buy on - buy <u>with</u>
5479	13	special - <u>sufficient</u>

5482	14	shorter = shelter
5486	22	anemic = amoebic
5487	2	for - <u>with</u>
5497	9	in 'H' = <u>and</u> 'H'
5544	4	at <u>Lower</u> Niki
5564	2	die = <u>did</u>
5564	4	<u>a</u> certain
5579	4	<u>doses</u>
5579	5	<u>plasmoguin</u>
5579	6	<u>doses</u>
5580	8	of - on
5690	12	Corps Commander
5691	4	K-r-o-h, <u>and</u> just
5771	2	railhead
5774	21	wheeled transport
5776	13 & 14	permittedly - <u>admittedly</u>
5804	17	February 16th to <u>March</u> 18th
5804	19	<u>eighth</u>
5804	23	<u>the</u> purposes of <u>what</u>
5813	10	rather - really
5816	3	the report = <u>default</u>
5816	7	buried - <u>included</u>
5827	7	except <u>that</u> of being
5836	9	outer camp - ARAKAN
5839	3	He - <u>We</u>
5840	18	that, I mentioned, is = <u>the dimensions of</u> <u>that are</u>
5840	22	where - <u>while</u>